The Nation

FOUNDED 1865

Vol. CXXXVII NEW YORK, WEDNESDAY, AUGUST 30, 1933 No. 3556

Contents

EDITORIAL PARAGRAPHS 225
EDITORIALS:
Fünfergruppen 227
On Helping the Government 228
Politics and Crime 229
More Power Propaganda 229
A Bad Appointment 230
ISSUES AND MEN. FIORELLO H. LA GUARDIA. By Oswald Garrison Villard 231
CARTOON. By Massaguer 232
CUBA CLEANS HOUSE. By Hubert Herring 233
JOHNSON AND THE FREEDOM OF THE PRESS. By Paul Y. Anderson 234
LAWYERS AND THE DEPRESSION. By James P. Gifford 236
THE AUSTERITY OF GEORGE KELLY. By Joseph Wood Krutch 240
IN THE DRIFTWAY. By the Drifter 242
CORRESPONDENCE 242
BOOKS, ART, FILMS:
The Ecstatic. By C. Day Lewis 244
South American Rhapsody. By Evelyn Scott 244
Literary Trapezist. By William Troy 244
They Had to See Russia. By William Henry Chamberlin . . . 245
Ex-Regulator. By Louis Bartlett 246
San Francisco Sin. By Carey McWilliams 246
Dead Germany. By Oswald Garrison Villard 247
Shorter Notices 247
Art: Modern Art in Perspective. By Walter Pach 249
Films: A, B, C, and D. By William Troy 250
CONTRIBUTORS TO THIS ISSUE 252

BOARD OF EDITORS

ERNEST GRUENING FREDA KIRCHWEY
HENRY HAZLITT JOSEPH WOOD KRUTCH

ASSOCIATE EDITORS

MARGARET MARSHALL MAURITZ A. HALLGREN

OSWALD GARRISON VILLARD
CONTRIBUTING EDITOR

SUBSCRIPTION RATES: Five dollars per annum postpaid in the United States; to Canada, $5.50; and to other foreign countries, $6.00.

THE NATION, No. 20 Vesey Street, New York City. Cable Address: NATION, New York. Muriel C. Gray, Advertising Manager. British Agent, Gertrude M. Cross, 23 Brunswick Square, London W. C. 1, England.

THE HERCULEAN EFFORTS of Hugh S. Johnson and his associates during the past week have resulted in a large collection of completed codes, chief among them those covering the steel, oil, and lumber industries. A coal code still hangs in the offing as we go to press, but it is certain that, like the codes mentioned above, its final terms will exclude any specific provisions for company unions or any other reservations or provisos affecting the labor guaranties included in the recovery act. This is greatly to the credit of Mr. Johnson and the deputy administrators. The determination of the steel and coal magnates to write their own labor plans into the codes was strongly asserted; they had even supplied themselves with legal rationalizations designed to make their wishes conform with the provisions of the law. But Donald Richberg, counsel for the Recovery Administration, firmly excluded any company-union schemes, however worded, and the administration is standing pat upon the unqualified guaranty of labor's right to organize, to bargain collectively, and to refuse to join company unions. This stand will undoubtedly have the effect not of solving the issue of unionization but of throwing it back into the industry to be fought out through strikes or before the mediation boards set up as a part of the recovery machine. Certainly the steel owners do not consider the matter settled; when they agreed to withdraw the company-union clause from the steel code they announced openly that they would continue to operate under the employee-representation plan described in the deleted clause. Similarly the non-union coal operators may be counted upon to fight the union in the field if they are not permitted to rule it out in the code. Labor's war for recognition under the recovery act has not even begun; but the power of the employers to punish workers for joining independent unions has been definitely and legally denied. The next moves are up to labor itself.

ON THE WHOLE the steel code, while an improvement over the draft originally submitted by the industry, is a disappointing document, especially if read in the light of the criticism made by Frances Perkins at the time of the first hearings. Secretary Perkins proposed that the provisions against the spying by one company upon another be extended to prohibit the use of labor spies; but in the accepted code the original clause remains unchanged. The forty-hour week is established, but is hedged about with so many reservations that it cannot possibly be enforced without further government intervention. Child labor is abolished, although the phrase "none . . . shall knowingly employ" any person under sixteen leaves an unfortunate loophole for evasion—and one to which Miss Perkins strongly objected in her criticism of the draft code. The wage scales were not given in the texts of the code available in the newspapers, but a summary published by the Federated Press quotes rates from 25 cents an hour in the Southern district to 40 cents in the district comprising Pittsburgh, Youngstown, Cleveland, Detroit, Toledo, Chicago, and Colorado. This scale again runs directly counter to Miss Perkins's recommendations. She urged a weekly rather than an hourly rate and a higher minimum, especially in the South. According to a statement issued by Hugh S. Johnson, "minimum wages . . . are estimated to exceed an average of 40 cents an hour. (This results from the fact that higher minimum wages than those fixed in the code are paid to large groups of common labor.)" This statement, published without any accompanying figures, is certainly misleading. A minimum wage rate is the lowest paid in a plant or an industry and is not to be arrived at by lumping the rates for various grades of common labor and getting an average wage. A 15 per cent increase is promised for workers who were receiving on July 14 more than the common-labor rate, provided this increase does not raise wages above those paid by other mills in the same district for "substantially the same class of labor." To achieve any measure of government control over steel is a cause for congratulation; and conditions will doubtless be improved by the standards set in the accepted code, low as they appear. But those who hoped that the enlightened views of Frances Perkins would have serious effect on the final agreements on wages and working conditions between the National Recovery Administration and one of the most important basic industries must be sorely disappointed.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE ACID TEST of the NRA will be its effects upon employment and total wage payments; but this test will not be applicable with reasonable fairness at least until the August and September figures have been published. Meanwhile the figures for July, though influenced largely by the price rise resulting from the depreciated dollar and by the general recovery that began in March, and only in part determined by the new program (the first of the codes, that applying to cotton textiles, did not go into effect until July 17), are promising as far as they go. Employment in July, according to the official figures, rose 7.2 per cent. While the extent of this increase is hardly remarkable in itself, it must be remembered that July, owing to summer shutdowns and layoffs, is normally a month of declining employment. The Department of Labor estimates that 400,000 factory employees returned to work in July, and that in four months there has been a total reemployment of 1,100,000. How far we have still to go before we can return to the conditions even of 1926 we realize when we find that even at the end of July only sixty-seven men were working in factories for every hundred employed there in 1926, while total factory wage disbursements in July were running at a rate of only 46 per cent of that in 1926. Another factor which must not be overlooked is the relation of rising wage payments to rising prices. While factory pay rolls increased 7.9 per cent in July, food prices throughout the country increased by 8.3 per cent. It must not be assumed from this that higher living costs more than offset even the minor payroll gains made by labor in July, for food is only one element—usually estimated at about one-third—in the total cost of living. But it is obvious that such figures must be watched as carefully as those of the direct payment of wages, if we are to have any true index of the progress of labor in terms of welfare.

> By a single stroke the President has revolutionized the economic world that was crumbling and its fragments crashing down upon the defenseless heads of employer, worker, and consumer alike. . . . Our frayed and worn economic system had come to a point where it was infringing on the basic constitutional rights of American citizens—namely, the right to earn their bread by the sweat of their labor and the right to earn enough, not for a bare living, but to engage in the pursuit of happiness which is guaranteed in our basic laws.

WHO UTTERED these dangerously radical sentiments to the students of New York University the other day? We suppose that our readers will guess that it was some dyed-in-the-wool Communist, some very radical Socialist. Not at all. These sentiments came from no less a person than Grover Whalen, lately head of the New York police and now chairman of the New York City Emergency Reemployment Committee, a branch of the National Recovery Administration. Yes, these words came from the mouth of the very man who a few years ago was allowing his police to assail and break up the meetings of those "dangerous reds" whose sentiments were on all fours with those now being uttered by the same head of the police. Had Mr. Whalen said these things on the streets of New York in 1929 or 1930 he would have been run into jail or beaten up by one of his own Red Squad. We know of nothing funnier than this spectacle of the erstwhile defender of the homes of New York speaking the language of Socialists and social uplifters. Nor could we think of any happening which would more clearly illustrate the revolution that is taking place in the minds of some of the leaders of our recent era of rugged individualism.

IN HIS LETTER of resignation from the Consumers' Advisory Board, Professor William F. Ogburn has made recommendations that the Administration cannot afford to ignore. Once the first phase of the NRA has passed, he insists, increasing protection must be given to the consumer. This protection cannot be provided by mere ballyhoo but must rest on the development of careful indexes of prices and of purchasing power. In order to administer the codes without injury to the consumer, a very full reporting service must be provided for in the codes, and provisions for such a service are missing from many of them. There can be no doubt that the tendency of the NRA is toward greater consolidation of industry—that is, toward a closer approach to monopolistic conditions—and this condition can only be offset by increasing governmental supervision in the consumer's interests. The German experience with cartels, Professor Ogburn points out, only emphasizes the need for this type of supervision.

THE TENDER-HEARTED NAZIS, pausing in the midst of their pogroms, and the belaboring of interned political dissenters with *Gummiknüppel* and *Stahlruten,* have decreed an end to vivisection in the Reich. As if German medicine had not already received a severe blow at their hands in the recent rule prohibiting many of the foremost practitioners in internal medicine, gynecology, ophthalmology, and other specialties from receiving patients from "Aryan" colleagues, or giving their services in the public hospitals! The great conquests of disease have been achieved chiefly through animal experimentation and would have been impossible without it. Banting's discovery of insulin and the consequent control of diabetes came as the result of experiments with dogs. Schick's antitoxin for diphtheria and the serums to be developed in the attempt to immunize against other microbic infections require the use of living mammals. Indeed, progress in medical research is unthinkable without animals. The dwindling custom of young American physicians—those who could afford it—of spending a postgraduate year in attendance at the clinics of the great German specialists will by this latest Nazi decree receive its deathblow.

IT WAS a foregone conclusion that the paltry reduction of 6 per cent in electric rates in New York City ordered by the Public Service Commission on August 21 would be contested in the courts by the power companies involved. Jerome Count predicted as much in his article in *The Nation* of last week. But only such a patriotic wizard as George B. Cortelyou could have discovered that the order was "shocking" and "entirely contrary to the spirit and purpose of the great recovery program undertaken by the President of the United States." The same sort of wizardry is apparent in the following series of events: On May 1 the New York utilities inaugurated the forty-hour week and cut wages from 8⅓ to 16⅔ per cent "to aid unemployment." This is commonly known as the "share-the-misery" plan. When the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Blue Eagle campaign opened, on the basis of a thirty-five to forty-hour week, the representatives of the utilities rushed to Washington to ask for a forty-eight-hour code. But now, in terms of outraged patriotism, they assert that they cannot grant the 6 per cent rate reduction, in spite of the mountain of surplus profits at their back door, and still carry out their NRA pledge. The companies will therefore point out to the commission the "impropriety" of its order and ask for its reversal in the name of President Roosevelt and national recovery. It is an up-to-the-minute variation of an old trick. The usual procedure of an appeal to the courts will no doubt be invoked if the new method is not successful. And Wall Street for one, is evidently sure from long experience that one or the other or both will work. When the order for reduction was announced, Consolidated Gas common closed five-eighths of a point higher and its preferred stock and bonds held their previous gains, except that one bond issue advanced another half-point. Meanwhile the consumer will receive one more lesson in the futility of public-service commissions as a means of reducing his light bills.

A GREAT SHIP is a great ship, no matter to whom it belongs. We might prefer to see the transatlantic speed pennant flown along with some other flag than that of Fascist Italy, but we are not disposed on that account to deny any glory to the liner Rex for her magnificent run from Gibraltar to New York in 4 days, 13 hours, 58 minutes, in the course of which she made the highest average speed per hour, 28.92 knots, and the highest average speed per hour for a single day, 29.61 knots, ever attained by a commercial steamship. There is this solace, too, that although we are not over-devoted to the Black Shirts, we are still less enthusiastic about the Brown Shirts, and we can tolerate the sight of almost anybody snatching the pennant from the company flying the swastika flag of the Nazis. The veteran Mauretania has crossed the Atlantic in less actual time than the Rex, but over the shorter course between New York and Queenstown and at less speed. The Rex has bettered the records of both the Bremen and the Europa, but it is unlikely that either of those ships has yet been pushed to the limit, so we may witness some strenuous pennant races in the next year. It should be said, though, that the pursuit of the transatlantic speed pennant is no longer on the almost strictly commercial basis that it was during the many years when honors were held by the Cunard Line. Although called commercial ships, neither the North German Lloyd fliers nor the new Italian liners are quite that, as all are heavily subsidized by their respective governments in the interest of national prestige. The Rex and the Conte di Savoia were built to make money if possible, but in any event to bring renown to Italy. Even so, the exploit is not to be belittled. It takes supreme skill and high courage to go after ocean speed records in these days. The best knowledge must go into constructing the hull and propelling machinery, valuable space must be sacrificed, and staggering costs for fuel must be faced. It is contemplation of all this that has led the French Line to postpone putting into service until 1935 its new steamship, originally planned for next year. The Normandie, of 70,000 gross tons, is not only the world's largest ship but it is hoped she may prove the fleetest. To put upon the ocean this super whale in a time of world depression would daunt even the most dauntless.

Fünfergruppen

IT was inconceivable that the 13,000,000 Socialists and Communists among Germany's 62,000,000 people should submit without a struggle to the brutal domination of Hitler's brown terror. An article by Ernst Henri in the London *New Statesman and Nation* of August 5 describes with convincing detail the organization and method by which a subterranean revolutionary movement is being conducted in Germany, designed to bring down that "national revolution" of cowards with clubs which now prevails. The German organization is based upon revolutionary cells, this time known as *Fünfergruppen,* or groups of five. According to Mr. Henri, they are systematically at work in almost every large factory, in all the cities, and even within the ranks of the Nazi storm troops. Their handiwork appears directly in the anti-fascist handbills circulating almost daily in the larger cities, and in secretly printed factory leaflets which appear with such persistence that Nazi newspapers have lately begun to demand counter-measures against them.

> The whole fronts of houses in the working-class areas [writes Mr. Henri] are covered with revolutionary slogans in paint which is difficult to wash off. The Nazis have caught dozens of people, especially youths, at this job and have sent them to concentration camps or penitentiaries (the average punishment for such acts . . . has been . . . raised from six months' to eighteen months' imprisonment); but the walls of the houses . . . continue their protest.

The Groups of Five, which honeycomb the whole of German industry, are not known to one another, which makes them extremely difficult to trace, but they are coordinated from above. The various cells in each town or industrial unit are directed by a "subdistrict committee" consisting of a few experienced revolutionaries; and contact is maintained by a revolutionary "workshop inspector" who is the object of a constant Nazi man hunt. He is seldom discovered. When he is, a substitute is always found, so deep is the anti-Nazi feeling among class-conscious workers.

The indirect effects of these groups are much the more important. For the old trade union the Nazis have substituted the National Socialist Workshop Organization (N. S. B. O.), to which every worker is supposed to belong—including the revolutionary Groups of Five. And the Group of Five, Mr. Henri points out, often becomes the most active element inside the N.S.B.O. The settlement of wage rates and of other relationships with employers is in the hands of the N.S.B.O. And the Nazis cannot with grace object if the N.S.B.O. in any particular factory asks for increased wages, shorter hours, and better working conditions in the name of National Socialism and Hitler's promises before he came to power. As a result, many scheduled wage reductions have been postponed, employers are protesting to Hitler, and the Chancellor himself has come into conflict with his own followers among the workers and has even dissolved some of the N.S.B.O. organizations as being "tainted with Marxism."

How persistent the organization will be or whether it can succeed, no one can tell. But it has its basis in a working-class movement millions strong; and the pressure of economic problems which Hitler shows no evidence of being able to solve is on its side.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

On Helping the Government

> In its own interest, the Administration ought to be cautious in stirring up the passions, the resentment, and the hostilities that a boycott would engender, for the atmosphere so created is the very one most inimical to the industrial peace that the Administration so ardently desires at the present time. Once a hysteria has been created, it cannot readily be controlled. . . . At the present time the nation is solidly in favor of the fundamental purposes of the NRA. Its directors should take pains that popular backing is not destroyed in a wave of resentment that might break all bounds.

WE have taken these words from an admirable editorial in the Hartford *Courant* because it not only tells the truth but presents its criticism of the administration of the National Recovery Act in so excellent a tone. We also reprint it to show that criticism *is* continuing, for we are still of the opinion that no friend of the Administration and the purposes for which it is battling can render any greater service today than to criticize where criticism is due. Nothing, we believe, could be worse for the President, and the threatening General who heads the Recovery Administration, than to have all criticism suddenly stilled for any reason, whether on the alleged ground of patriotism, or of "an emergency similar to war time," or because of any other excuse. Hence we are not moved by admonitions such as the one we have received from a friendly California editor, who insists that all liberals should be so grateful for Mr. Roosevelt's move toward the left and for his liberal advisers that they should all be "standing around him with hats off" and "not be barking at him."

Evidently this editor feels that all those who criticize will lose their influence. Well, that is not the point in question. The only issue is whether liberals, when they see dangerous mistakes being made, should say so publicly or not. If ever the vigilance of the press was essential to the preservation of American liberties, it seems to us that the present, next to the period of the World War, is the time. It is not merely because of the threats of boycott which so worry the *Courant,* or because of General Johnson's threats to "smash" —"God help them"—all those who don't go along with the Administration, or because of the danger of hysteria, that we feel so keenly. These are bad enough, for they spell the methods of fascists and dictators; but what concerns us primarily is the danger of losing our basic liberties, which must be protected *now*—not after they have been lost. For example, we find ex-Governor William E. Sweet of Colorado, who, like ourselves, has long ardently desired a new industrial order and a largely increased measure of social justice, saying in an interview in Detroit that "labor's right to strike is, of course, inviolate. But it cannot prevail now, while this country is in a state of flux. It will lose nothing by holding that right temporarily in abeyance." On the contrary, once you let down the bars, once you yourself violate what you admit is inviolate because men temporarily in authority think that this is the time to do so, you have breached the very citadel of liberty. If you can once demand successfully that an inviolate right be held temporarily in abeyance, you can do it again and again, and in the end you will have no cause to protest if one by one all the defenses of human rights go by the board in the course of a severe industrial, and not even a political, crisis.

Among other things we feel that it is absolutely essential for the NRA to recognize that there is a fundamental conflict of principle involved in the question of union recognition—not a mere matter of administrative expediency. Is it "sniping" and "petty criticism" to say so now when the NRA is formulating its policies? Is it unpatriotic for such disinterested and patriotic persons as Miss Mary Van Kleeck and Professor William F. Ogburn to withdraw from two separate phases of the recovery work because they cannot any longer in conscience refrain from making this most effective protest? Is it wrong for people to declare that there is a lack of any solid statistical background or basis for the establishment of the various standards, such as the wage minimums, in the numerous codes? Is it wrong to protest against the appointment to a recovery position of so notoriously bad an employer of labor as Matthew S. Sloan, formerly of the Brooklyn Edison Company? Is it wrong for the Civil Liberties Union to demand protection of workers active in unions or the recognition of minority unions? These are not minor or picayune points. They are vitally important, but if they were less so it would still be proper and helpful to criticize any government policy which seemed to overlook them.

But we are told that if we do not swallow the recovery program, hook, line, and sinker, it will be fascism, dictatorship, or what you will. We are not moved by that argument. If fascism comes in America it will be because of treason to democratic ideals, because of stupid despair, and particularly because of mistakes in handling the reconstruction policies. We repeat that the best way to head off fascism is to criticize and warn now in order that deadly mistakes may be avoided. The American people, as the *Courant* suggests, should be led and not bludgeoned. We deny that there is such haste necessary that we must be rushed into policies without adequate counsel or discussion.

We are frankly the more moved to exercise our right to discuss and to differ because of the obvious surrender of a large part of the corps of Washington correspondents—as some of them have frankly admitted—to the charm and magnetic personalities of the President and General Johnson. One correspondent has stated that many of his fellows are writing only good things and suppressing or soft-pedaling news that is unfavorable to the NRA. Of course the *Courant* is right when it says that the nation is today solidly in favor of the recovery measures. We too want them to succeed—and with all our hearts. If we did not, we should be at no pains to caution, to warn, to offer such constructive suggestions as we have. We should sit by silently and look on. But we shall never consent to these policies being tried at the expense of our liberties, individual and group, and we cannot be frightened or abused into taking any other position or into remaining silent when it seems to us that their success is being jeopardized by mistaken actions and policies.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Politics and Crime

SENATOR Royal S. Copeland, chairman of the United States Senate subcommittee on racketeering, seems to be doing something valuable in that capacity almost in spite of himself. Among those who testified at the hearing held by the subcommittee in New York on August 15 and 16 were United States Attorney George Z. Medalie and Frederic Kernochan, Chief Justice of the Court of Special Sessions. Between them they managed to make some things reasonably plain. One of them was the close connection between the racketeers and the city political machines throughout the country. That connection is not mysterious. The racketeers are very useful to the district leader. They can perform important services for him at election time. They can help to get out the vote. They can contribute the funds to enable him to buy baskets for the poor at Christmas. They can give him a share of the profits they make from direct contracts in the distribution of which he has a voice. And the district leader can perform compensating services for the racketeer. He can give them contracts. He can arrange bail for them. He can pass the word down the line that they are to be let off when they get into trouble. He can make it unpleasant, at the very least, for any policeman or detective or higher police official who pursues his favored racketeers with too much energy or curiosity.

This was the sort of thing at which Mr. Medalie and Justice Kernochan hinted rather broadly. "You are speaking of the occasional politician, are you not?" asked Senator Copeland of Mr. Medalie. The Senator owes his election and his reelection largely to the efforts of the Tammany machine. "No," replied Mr. Medalie, "I mean professional politicians. I could name four of them immediately right here in this county." Senator Copeland replied that New York County was a big one, and that four corrupt politicians "aren't so many." Mr. Medalie retorted that he could name many more, but the four referred to were only those who "stand out in front of our faces and can't be missed." Senator Copeland did not press him to name them.

The New York District Attorney's office showed no more enthusiasm for tracking down these men than did Senator Copeland. Albert B. Unger, the acting New York District Attorney, said that his office had no intention of "embarking on a John Doe investigation of racketeering." This public attitude merely tends to support the frequent charges that indifference and lack of interest have been shown by the District Attorney's office when complaints of racketeering, supported by evidence, are brought before it. Police Commissioner Boland also, in reply to questions by reporters, declared that he was not interested in investigating the charge made by Justice Kernochan that the influence of corrupt politicians reaches into the police department; he had not even bothered to read the newspaper accounts of the charges. Finally, the regular New York County Grand Jury took the matter into its own hands, and ignoring the District Attorney's office, invited Mr. Medalie and Justice Kernochan to present their facts before it.

Senator Copeland has shown his essential unfitness to conduct the investigation that the Senate has appointed him to conduct; and the other officials who owe their present offices to the Tammany machine, by their attitude, lend added weight to the accusations of Mr. Medalie and Justice Kernochan. The alliance of the racketeer with the local politician is the greatest single cause for the reign of the racketeer in this country. Samuel S. Leibowitz, the criminal lawyer whose clients have ranged from city gangsters to the Scottsboro boys, remarked before the Copeland committee that the real trouble is with the detective division, and that the bulk of the detective force of New York City is made up of "ex-truck drivers, ex-plumbers' helpers, and ex-soda clerks." But even if this were so, it is obvious that it would not be so under an honest and efficient political administration. The same power that warns policemen and detectives to "lay off" racketeers and other big criminals is the power that indirectly appoints detectives too stupid to catch the criminals even if they wanted to.

The solution is not a simple one. The cause lies too deep in our national indifference toward corruption, whether it is found in politics or in business. But the greatest single step that we could take would be to break the grip of machine control, and that cannot be done permanently in the cities until they adopt a form of government in which the final power rests in a council or board elected by proportional representation. Only by proportional representation will minority elements be able to take a constant part in city government; only by such representation can the grip of machines, with their solid block of interested votes, be permanently loosened; only such representation will provide constant opposition to the more flagrant forms of inefficiency and corruption. Not until our city governments are reformed can we hope to win anything but temporary and minor victories against the racketeer.

More Power Propaganda

DESPITE various deceptive gestures of repentance and reform, the same old power propaganda continues. Before us is a circular broadcast by the American Security Owners' Association, addressed to "public-utility security owners." It calls their attention "to the present insidious and nation-wide propaganda for decreasing the rates of public utilities for services rendered." "The movement," the circular continues, "is not supported by economic reasons; but is inspired wholly and solely by political expediency." In short, the millions of electricity consumers have turned politicians; they have no economic stake in diminishing their electric bills!

The circular then goes on to repeat the hoary falsehoods that an "ever-increasing avalanche of taxes, federal, State, and local," has "effaced all the advantages of research and technological progress"; that "the public utilities have repeatedly and consistently cut rates and instituted all the economies which could be reasonably effected without detriment to the service." But there is also news in the circular, to wit: "Before adjourning, the special session of Congress took from the consumer and placed on the producer the 3 per cent electricity tax, thereby denying to the electric light and power industry the right enjoyed and followed by every other industry in the country of passing taxes on to the ultimate consumer." How deliciously frank this is!

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"As though that blow at security values were not enough, now come many States proposing temporary emergency rate reductions, the savings from which will not enrich the domestic consumer and will leave the public-utility corporation poor indeed." The circular then urges that security owners protest to their public officials against these rate reductions, saying: "The public service commissions . . . are inclined to deal justly in this matter, and not all of the governors are unfair, but both are being subjected to increasing and threatening political pressure and need that moral support which only your letters can give to sustain them." The signer of this interesting document is William H. Onken, Jr. Now Mr. Onken has long been active in behalf of the utilities. In the exposé by the Federal Trade Commission of the utilities propaganda his name appears as editor of the *Electrical World,* which post he held until 1929. The post has changed, but the person and the propaganda are the same. Protection for utility-security owners, indeed! What did these power propagandists do to prevent the debacle of the Insull, Foshay, and Ohrstrom securities?

We turn to the August issue of *Vanity Fair,* and find in it an article entitled Public Ownership No Solution, by George E. Sokolsky. With his defense along classic lines of the superior value of private initiative (so admirably demonstrated in recent years!) we shall not trouble to disagree. Nor do we object to Mr. Sokolsky's leveling his attack at that *bête noire* of the power trust, the Ontario Hydro-Electric, whose magnificent record nullifies so completely the claims of our private utilities concerning low rates and efficient service. We do, however, smile at his selection as his authority of "Professor Mavor, the Canadian economist." For the Federal Trade Commission in 1928 exposed Professor Mavor as having been secretly in the pay of the public utilities when he wrote his book on "Niagara in Politics." This interesting transaction was worked through another individual, who in his vouchers recorded it as "payment to a mutual friend." It was doubly concealed in the National Electric Light Association's accounts and the truth was not disclosed to the public when the book was published in 1925, nor in the years following, when the utilities insinuated thousands of copies of it into schools, colleges, and public libraries, a distribution program for which the N. E. L. A. appropriated $10,000 in addition to the subsidy to Mavor. But the facts have now been of public record for five years. Not only did they appear in more than one place in the Federal Trade Commission's printed reports, but they were further recorded in volumes subsequently published: "The Power Fight" by H. S. Raushenbush; "The Public Pays" by Ernest Gruening; "Confessions of the Power Trust" by Carl D. Thompson.

The leopard has not changed its spots. It is the same old propaganda, designed to maintain in behalf of a few privileged insiders, and at the expense of the American public, the existing financial jugglery, watered stock, padded valuations, and excessive salaries, based on exorbitant rates and totally ineffective "regulation." Samuel Insull may be in Greece, but his spirit and practices still dominate the electric light and power industry in the United States. And day by day the evidence piles up that the American public has no effective remedy against these continued abuses short of the very public ownership which Mr. Sokolsky, on the authority of a paid power-company propagandist, denounces.

A Bad Appointment

THE announcement that Ambassador Sumner Welles will return shortly to his former post as Assistant Secretary of State and be replaced in Cuba by Jefferson Caffery is highly regrettable for several reasons. No more important diplomatic assignment exists at this moment than the Cuban post. To help the Cubans to restore their shattered political and economic structure and to work out a new and better relationship between the two countries is a task requiring major statesmanship. Mr. Welles has made an auspicious beginning. But the removal of Machado is only a first step. Far more complex problems lie ahead. Mr. Welles's desire to return to Washington and begin work on the agenda for the Seventh Pan-American Conference, to be held in Montevideo this fall, is understandable, but nothing he might accomplish through his contribution to better inter-American relations would be comparable to a satisfactory solution of the Cuban tangle. Moreover, the choice of his successor at Havana is highly unfortunate. Mr. Caffery was disclosed, at the hearings of the Senate Committee on Finance in January, 1932, as playing an active part while United States Minister to Colombia in promoting the granting of the great Barco oil concession to the Mellon-owned Gulf Petroleum Company and the Carib syndicate, controlled by the Morgans, and in negotiating directly with the National City Bank for a private loan to the Colombian government. It was brought out that Secretary Mellon had counseled President Olaya Herrera to "settle pending questions on petroleum," and that when Colombia had done that, "there will be opened for Colombia . . . ample ways . . . for its financial restoration." The Colombian Congress had canceled the Barco concession. The Mellon-Morgan interests, having acquired a claim to the 500,000-acre oil-land domain from the Doherty group, were bringing pressure to bear on the Colombian government. Mr. Caffery was the chief implement in their efforts. Meanwhile the National City Bank was finding "technical" excuses for not proceeding with a promised credit of $4,000,000. Here again Mr. Caffery acted as intermediary, personally taking part in the negotiations with the officials of the bank. Francis White, Assistant Secretary of State at that time, likewise active in achieving the results desired by the interested groups, testified that there was no connection between the oil and banking transactions. But the State Department refused to allow Mr. Caffery to appear before the Senate committee for questioning or to submit for its use the correspondence between him and the department, and between him and the National City Bank officials.

The collusion of State Department and bankers in Cuba contains the key to many of the problems that have harassed that island republic. What the United States requires above all else in Cuba is an ambassador who does not by training and tradition tend to view the relations of those two countries in terms of concessions and bankers' opportunities. To solve Cuba's problems in human terms will be more conducive to a new entente between the United States and its southern neighbors than the hollow formalities and resounding verbiage based on unrealities which have characterized Pan-American conferences in the past.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Issues and Men

Fiorello H. La Guardia

WHAT manner of man is this La Guardia who has been nominated for mayor of New York? This is the question I encounter at every turn. Not unnaturally people all over the country are interested in the man whom the local reform forces have picked to head the fusion movement against Tammany in this critical year in our nation's history. What happens in the metropolis in the next two years will be enormously important and may even influence deeply the conduct of other municipalities. The city's financial situation is critical. If times do not improve, the keeping alive of foodless and workless citizens will become a problem transcending every other. Never did New York more greatly need a statesman and a man with tolerance, broad vision, and a kindly heart in the mayor's chair. A bigot, or a reactionary, or just a plain stupid man like the present Tammany mayor, John P. O'Brien, might do infinite harm.

Let it be said at once that Mr. La Guardia, or Major, or Congressman La Guardia if you prefer one of these titles, is not a conventional person. Those who think that the greatest city of America should be presided over by a highly educated and sophisticated person of the type of Seth Low or Nicholas Murray Butler will not be satisfied with the choice of Mr. La Guardia. He is short—quite short—rotund, and his personal appearance shows his Italian origin. If elected he will not shine, as did the last reform mayor of New York, John Purroy Mitchel, in the salon of General and Mrs. Cornelius Vanderbilt. But Fiorello La Guardia will never for one moment be out of touch with or fail to understand the humble people of New York City and their needs, for he is himself as much a self-made man as is Al Smith. He too was born in New York, but he got part of his limited education in Prescott, Arizona. At the age of nineteen he was employed in the American consulates at Budapest and Trieste. When he was twenty-two he was appointed American consular agent at Fiume, where he served for two years. He then returned to New York and for three years served as interpreter at Ellis Island, where he certainly must have learned many lessons in the way a government should not treat those who enter its doors.

Meanwhile the young interpreter was studying law at New York University, beginning his law practice in 1910. Five years later he became deputy attorney-general of the State and was a member of the Sixty-Fifth Congress in 1917. He is one of the few members of the House of Representatives who, after having voted the country into the war, had the simple decency to go abroad and offer themselves as targets for the bullets to which they had condemned the flower of our youth. It is hard to think of La Guardia as a flying officer. He began as a first lieutenant and was promoted, not for political reasons but for efficiency, to be captain and then major commanding the American flying force which was attached to night and day bombing squadrons on the Italian front. He came back from the war without any illusions, knowing perfectly well that it was not what it seemed and determined to do his best to make the post bellum world a liberal as well as a better one. Since his return to Congress his whole career has been a fighting one. He has been ridiculed, jeered at, lied about. He has been called a little Italian crook and a cheap politician. Big business has hated him as it has hated few men in Congress. But year in and year out he gamely fought his fight, and before his defeat for reelection, after fourteen years of service, won recognition as about the most efficient Congressman in protesting against Hooverism and the sale of government to the big-business interests.

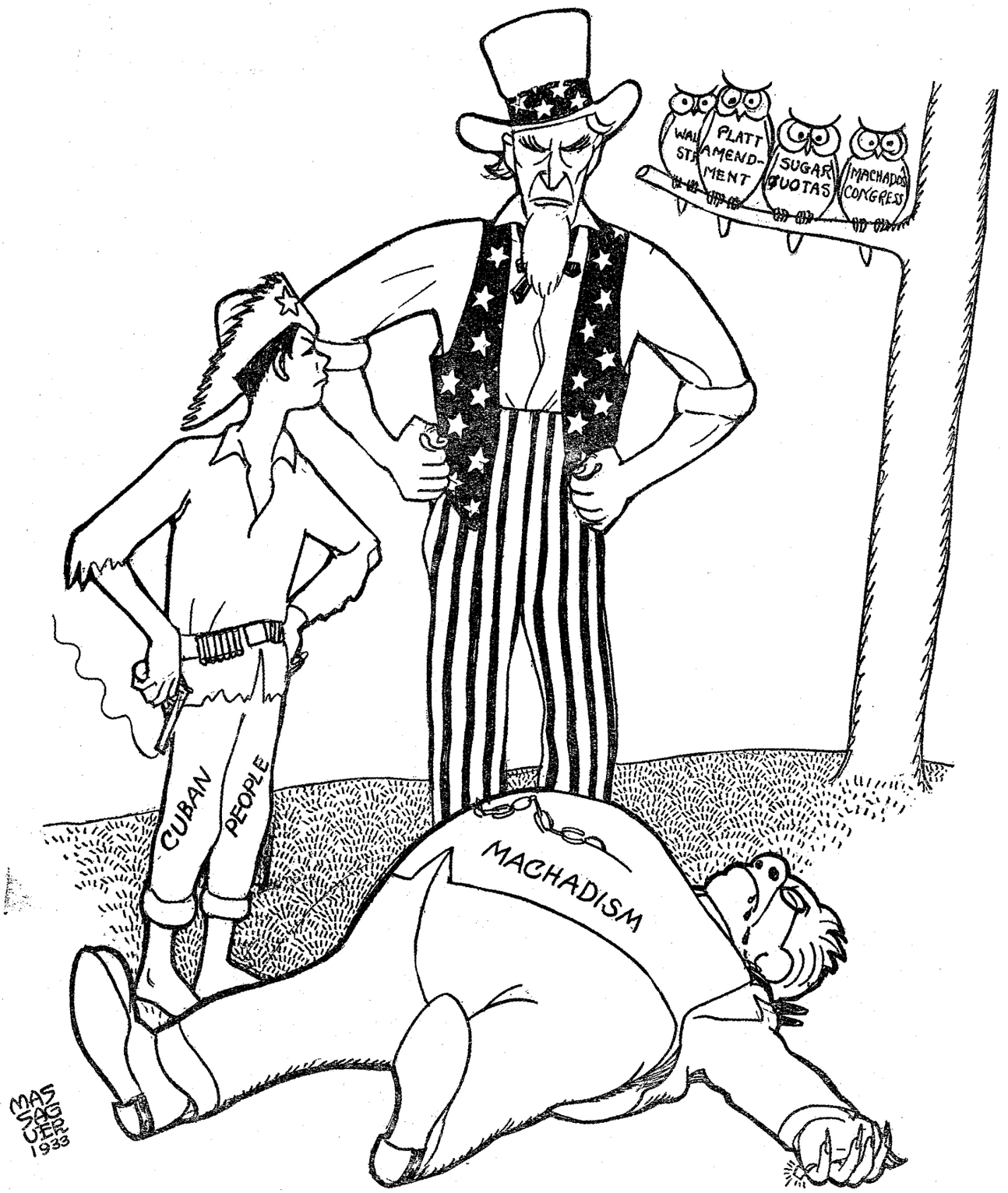
Naturally he made mistakes. Often he seemed to go off half-cocked and then sometimes time would catch up with him and demonstrate the correctness of the positions he had taken. It is frankly to be confessed that he did not do very well when he ran for mayor in 1929 on the fusion ticket. The vote that he got in 1929 was almost the lowest ever polled by an anti-Tammany fusion candidate. But as we said then, so we say now: subject to certain political limitations, he has been a genuine progressive, has usually had the courage of his convictions, has been sound on questions of war and peace, and has repeatedly shown a readiness to sacrifice his career for his beliefs. He once even ran for Congress on the Socialist ticket when the Republicans refused to renominate him because of his independence—and he won.

Personally, it has seemed to me that the best leader for the fusion forces would have been Norman Thomas—I do not believe that La Guardia will quarrel with me for saying so. But I am heartily for the Major's election because I believe that he will bring to the mayoralty what it most needs—a warm heart inspired by the opportunity to serve the common people. I hope he realizes that the city of New York is not going to be redeemed by merely giving it another good reform administration; there must be radical changes in the charter and the form of the city governmental structure, and above all we must have proportional representation, which is now being urged by many who have hitherto failed to see how necessary that change has become. I feel sure he will be a far better candidate this year; for one thing the situation is vastly more favorable.

Finally, let me tell my readers that there would have been no fusion ticket at all if it had not been for a singularly fine, able, fearless, and devoted citizen of New York, Charles C. Burlingham. If any man deserves the title of the First Citizen of this municipality, it is Mr. Burlingham. If there is any good liberal cause which has not had his aid and support, I should like to know what it is. Only his age and his modesty, I believe, prevented his being compelled to be a candidate himself. Isn't it wicked that when there are Americans of this admirable type we get so damnably few of them into our public life?

Oswald Garrison Villard

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



"No sir! We're not through yet!"

Drawn by Massaguer

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Cuba Cleans House

By HUBERT HERRING

Havana, August 19

THEY are cleaning house in Havana, and no one is sure what will be found in cellar and attic. The housecleaning began last Saturday when the guns of Cabañas boomed out the presidential salute to Carlos Manuel de Cespedes, provisional President of the Republic of Cuba. The robust crowd sacked the lower floor of the presidential palace, tore up shrubs and trees, paraded the streets, yelling, crying, with the abandon of release after eight dreary years. Crowds sacked the houses of Machado's henchmen, throwing furniture, bedding, dishes, books, pianos, everything into the streets. The offices and plant of the *Heraldo de Cuba,* Machado's newspaper, were gutted. All day long the crowd surged and roared, laughed and sang. When the sun sank, the name of Machado had been wiped from the city. The Avenida del Presidente Machado was baptized with a new name—Avenida Rubiera, in honor of a student martyr. On the granite shaft erected to Machado's honor students had carved a new dedication—To the Victims of Machado.

It was a housecleaning day, brutal, riotous, violent. Eighteen persons dead, ninety wounded, twenty-eight houses sacked, eight burned. Machado and four accomplices had flown to Nassau in the afternoon. Porristas, members of that terror squad which had become a byword of horror, were tracked down and shot like rats. The sun went down. The real housecleaning had not yet begun.

Carlos Manuel de Cespedes must be a good patriot to accept the job. He did not take it for his own comfort or for his own profit, if I am to judge from my knowledge of the man himself or from the reports of those who have known him for thirty years. I have just interviewed him. Cespedes is modest, unassuming, thoughtful. He has done good service in the diplomatic corps, serving in Spain, Mexico, and the United States. He is the son of the great Cuban liberator, a man of wealth and culture, and a patriot. He comes to office with the support of practically all parties to the conflict. He looks with genuine eagerness to the contribution of the younger men of Cuba—to the A. B. C., to the students. Whether he is strong enough to dominate the situation and to lead all factions, remains to be seen.

The balance sheet, moral and political, is mixed. Certain elements can be counted upon to support a peaceful and constructive solution. First, the army. Dominated by a group of young and imaginative men, its leaders are loyal to the new regime. How far and how deeply this loyalty permeates the lower ranks of the army is another question. Second, the A. B. C. This organization, whose members were hounded and murdered a few weeks ago, is the dominant political factor in Cuba. Stores are decorated with its banners. Its slogans are on everyone's lips. It is credited with a major share of the responsibility for the peaceful overthrow of the Machado regime. Third, the university professors and many students. The professors are an intelligent and imaginative group. The students, vital and headstrong, are a grand lot, and if the new government gives them enough to do and plays fairly with them, they will make a robust contribution to the housecleaning of Cuba. Fourth, the accumulated fury and outraged moral sense of the Cuban people, which will for a time at least back up the new government in establishing order.

Certain elements can be counted as definitely dangerous. First, Menocal and his followers. From the outset General Menocal has opposed the mediation of Mr. Welles. He envisaged a crusade, with himself astride a white horse charging the tyrant. Menocal counts upon the short memories of the Cuban people and believes that they have forgotten how expertly he looted and tyrannized. If the stars do not deceive, he will do what he can to block the development of the mediation so hopefully started by Mr. Welles, and the constitutional reforms which must spring from that mediation. Second, the politicians—good, bad, and worst. The reorganization of the old parties is under way. The conservatives will emerge with considerable strength. The control of the Liberal Party will be fought for by several contenders, among them Alfred Hornedo, wealthy owner of *El Pais,* sensational daily paper, and Miguel Mariano Gómex, ex-mayor of Havana and one of the more reputable politicians. Cuba is long on politicians and they will have their innings. Third, some labor agitators. The strike of the harbor workers is still on, badly crippling the economic life of Cuba. Unfortunately, Machado's policy made the emergence of effective unions impossible, and what little organizing has been done has been secret. Well-informed observers say there are only a few hundred active Communists in Cuba, but they have positions of trust in the few unions which exist. They are so placed as to create the maximum of confusion. They are doing it today in Havana, Cienfuegos, Santiago, and Manzanillo.

The President has appointed his Cabinet. It represents all sectors of the opposition and is made up of men of honesty and a high average of ability. The chief criticism is that they are for the most part untried men, that they are without political experience. But they are untainted by the bad records of the previous administration and several are men of intelligence and proved leadership. All in all, it is probably the most honest Cabinet that Cuba has ever had. As these lines are written, no indications of a future national program can be discerned. The new Cabinet is busily cleaning out the worst of the Machado deadwood and rotten wood. With the life of the island utterly demoralized, with most of the larger municipalities without legally appointed or elected leaders, it will have its hands full restoring peace.

First and most pressing among the problems just ahead is finance. At this writing no one knows what the balance sheet of Cuba will reveal. It is estimated that Cuba can count on a national income of about $42,000,000. Of this amount almost $12,000,000 is earmarked for service on the external debt. In addition there is a floating debt—unpaid salaries to soldiers, police, and teachers—of not less than $50,000,000. Salaries, current and delinquent, must be paid. This means the necessity of a relief loan if the country is to be saved from bankruptcy and the threat of anarchy. From

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

whom will this loan come? From the banks—presumably the Chase Bank, which already holds the heaviest end of the sack? The leaders of the A. B. C. and others insist that Cuba cannot be further mortgaged. Or will the American government make the necessary advances, and if so, what will be the terms? The new controlling group in Cuba is afraid of loans. They talk frankly of notifying the banks that in line with the spirit of these times Cuba will entertain the idea of scaling down its debts and postponing payments. There seems to be encouragement from Washington for this.

Second, there is the question of relief through preferential tariffs on sugar and quotas for Cuban sugar. Nothing definite has been suggested.

Third, the continuation of the mediation so intelligently launched by Mr. Welles and so wantonly blocked by Mr. Machado. The American Ambassador will use his influence in carrying this process on in an orderly and legal fashion. There is no Congress for the simple reason that most of the congressmen and senators fear to show their faces in the streets. Yet there must be a Congress if constitutional reforms are to be proposed, and if a constituent assembly is to be summoned. Mr. Welles, according to some critics, is overzealous for correct legal machinery, but I question whether Cuba can safely ignore the virtues of orderliness. A republic which has suffered under Machado's bad housekeeping needs the self-imposed discipine of rigorously observed constitutional procedure.

It is too soon to prophesy the course of events for the next few months. The government faces conflicting and merciless political enmities, widespread labor disturbances, a disorganized country. Its new leaders are, by and large, men of intelligence, imagination, and integrity. They may win. It is also entirely possible that the furies now released after the long tyranny of Machado may create new and more serious disorder. Menocal may disrupt the scene by playing the conquering hero, or Gómez and Hornedo may set loose new furies by battling for the control of Havana. There is plenty of powder, and any spark may set it off. There may be a peaceful solution and an orderly restoration of constitutional procedure, or there may be anarchy. At the end of the road there is always the specter of American intervention. Mr. Welles has done conspicuous service in avoiding it thus far. It is to be hoped that he can continue to avoid it. Cuba lies in the lap of the gods and of the American Ambassador. The gods are probably reliable and Mr. Welles has proved his worth, but who comes next? Mr. Welles is scheduled for another post. Appointments to the American Embassy in Havana must be watched.

Johnson and the Freedom of the Press

By PAUL Y. ANDERSON

Washington, August 19

IF you are tired of reading about NRA, codes, reemployment agreements, and the Blue Eagle, turn to another page. It is true that Frances Perkins, Harold Ickes, Henry Wallace, George Peek, David Lilienthal, and Professor Moley are busy with a number of important matters, but my current knowledge does not equip me to write about them. All my days and too many of my nights are spent on General Hugh Johnson's doorstep, and this letter will be limited strictly to information acquired there. Perhaps it will be proper, first of all, to tell the true story of the "newspaper code," partly because this will be its first appearance in type, and partly because the decent publishers of the country—and there are some—should be interested in learning precisely how they were represented here. The committee consisted of Howard Davis of New York, chairman; Amon Carter of Fort Worth; and John Stewart Bryan of Richmond. Their counsel was Elisha Hanson, a Washington attorney whose firm distinguished itself a few years ago by lobbying against the late Senator Tom Walsh's resolution for a Senate investigation of the power trust, and was conspicuously successful during the Mellon regime in obtaining tax refunds for wealthy clients. A noble representation of the vaunted guardians of our liberty—if you don't believe it look them over once more!

* * * * *

THEY presented to Johnson a proposed "code" which undoubtedly was the most dishonest, weasel-worded, and treacherous document that ever reached his desk. It was loaded with all sorts of exemptions and jokers, all carefully designed to enable the newspapers to escape the obligations which their editorial pages were clamorously urging all other employers to assume. Compared with it the codes proposed by the steel and coal barons were charters of liberty and enlightenment. After reading this masterpiece Johnson was so incensed that he instructed his legal department to draft a code for the newspapers, which was done. Meantime, however, the patriotic publishers endeavored to give Johnson the rush act by publishing front-page stories in hundreds of papers announcing that they had "signed the newspaper code," thus endeavoring to implant a belief in the public mind that such a code existed. For some strange reason Johnson's prompt denial received very little publicity, although the rejection of codes proposed by other industries had been thoroughly reported. The publishers' committee was instructed to return. I am not entirely sure whose brilliant idea it was to have Jim Farley call up Johnson and "give him the works," but it was a perfect illustration of the attitude taken and the methods employed by the committee. There are many officials in Washington who would yield at a word from Farley, but the redoubtable General is about the last who would occur to me in that connection. Actually, as any reporter on the ground could have told them, Big Jim gave the committee the old run-around in glorious fashion. He called Johnson, told of the request which had been made, explained that he wished to be able to say that he had kept his promise, passed the time of day, and hung up the receiver. When the committee returned and found itself confronted with the code drafted here, it immediately raised a howl about the "freedom of the press" being threatened. Personally, I am unacquainted with that section of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the federal Constitution which guarantees newspapers the right to engage in unfair competition. The freedom of the press, of course, is that of expression, not exploitation. Patiently, but in vain, Johnson and Chief Counsel Richberg explained to the committee that the Constitution had not been repealed by the recovery act, and that if it had, it could not be restored through a provision in a code. Finally, the official in charge of the job drafted a burlesque provision which asserted, in effect, that nothing in the code should be construed as modifying, qualifying, amending, or repealing the Bill of Rights. The publishers accepted it with solemn expressions of satisfaction, one even remarking that it was better than the provision in their original code. Whereupon, the code drafted at NRA headquarters (actually a modified version of the President's temporary blanket reemployment agreement) was accepted. Whereupon, hundreds of daily newspapers printed announcements stating that they had signed a code which was "along the general lines of" the publishers' original proposal! Thank God for honest journalism!

* * * * *

JOHNSON was right when he prophesied recently that "the air around here will soon be full of dead cats." It is an odd coincidence that they began to fly just about the time he rejected the original newspaper code. It is also interesting to note that the sniping was begun by the Washington *Post,* recently purchased by Eugene Meyer, and hailed at the time as the future "official organ" of the moribund Republican Party. In the *Post* the chief sniping assignment apparently has been intrusted to a columnist named Carlisle Bargeron, who is supposed to be especially close to the proprietor. Bargeron is a wisecracking clodhopper from the Georgia savannahs, who employs a semi-literate style that is vaguely amusing. Although unknown outside the capital, he commands a considerable following among government clerks and housewives, and he has concentrated his fire on the recovery program with remarkable persistence. His knowledge of economics is simply and fully told by his recent assertion that he was opposed to national planning on the ground that "I don't want no government bureaucrat telling me what I must eat and wear." It is hardly necessary to mention the scurrilous—and wholly fictitious—story in which a New York tabloid reported Johnson in the act of crashing the doors of a Washington speakeasy, accompanied by several men and women. It was promptly and ignominiously retracted. When hearings are begun on a permanent code for newspapers, we may expect to hear renewed yells about the "freedom of the press," but I think they will fall on unresponsive ears. Newspapers have exactly the same right to claim immunity from the provisions of the national recovery act as they have to defy municipal building and fire regulations.

* * * * *

MEANTIME, steel is exhibiting the same invincible stupidity which it has always exhibited; coal has proved, in the fields dominated by Mellon and the Steel Corporation, that it is incorrigible; Henry Ford—who for a time deluded the public into regarding him as a great altruist, although in fact he is perhaps the most ruthless and avaricious of all large employers in this country—is almost certain to be a bad actor; and the President and Johnson have been compelled by the recalcitrance and greed of the oil producers to prescribe a code for that industry. The fight isn't over. Indeed, it probably is just beginning, but there are real grounds for optimism. Through the organizing genius of John Lewis the names of approximately 340,000 coal miners have been added to the rolls of the United Mine Workers in recent weeks—an almost incredible feat. The President's new Labor Board, despite the absence of Senator Wagner, has had remarkable success in settling strikes pending the adoption of codes, and I deem it significant that one of them—the strike of full-fashioned-hosiery workers in Pennsylvania—was terminated by a direct appeal to the employers by Gerard Swope. A labor member of the board is authority for the statement that no one but Swope could have induced the employers to accept the settlement that was made.

* * * * *

LIKE Johnson (and, apparently, unlike the editors of *The Nation*) I expect to shed very few tears over the poor employer who is about to be boycotted because he is paying less than fourteen dollars for forty hours' work. If he is able and refuses to pay it he is a contemptible chiseler who deserves almost anything that happens to him. If he is unable to pay it he is an economic incompetent who has no place in a sound system. Wouldn't it be a pretty state of affairs if the economic life of the entire nation had to be pitched on a plane inhabited by its most incompetent members? Nobody protested more bitterly than I against the atrocities perpetrated by patrioteers during the war. I have no difficulty in recalling the narrow margin by which I escaped with my life after testifying against the ringleaders of a mob which had lynched a half-witted German coal miner in southern Illinois. Such things were unnecessary and barbarous. This is different. There was never any question about who would win the war after we entered it, but there is a very serious question about whether we can end this depression before revolution breaks out. When ten million men have been without jobs for three years and are asking themselves whether they will ever work again, when they have seen their women fade and their babies wither and die, when they have seen their boys turn to thievery and their girls to prostitution, it strikes me as a poor time to play dilettante over the classical ideals of Jeffersonian democracy. Frankly, as one who enjoys a fairly comfortable place in the present system, I do not fancy the prospect of finding myself out in the woods fighting with the squirrels for acorns this winter. Perhaps it is unfortunate, but the fact remains that a hungry man can derive very little nourishment from the Bill of Rights. I have been present more than once when the troops "took over," and I can assure others that it is not a pleasant spectacle. If anyone wants a difficult task, let him try to persuade an infantryman under company orders that he is violating the Constitution. No, having inhaled my share of tear gas, I much prefer the Blue Eagle. I am willing to waive some of my precious individual liberties temporarily if it will help to feed the starving. And I shall remain firm in my obstinate conviction that Ickes, Perkins, Wallace, Richberg, Wolman, McGrady, Lewis, Berry, and General Johnson have not sold out to the Interests. So-o-o, if a brick is heaved through some window that does not fly the Eagle, don't expect this grizzled old agitator to lead the protest.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

EVERY observer with an ounce of perception realizes that only the defeat of Hoover and the promise of a new deal saved this country from much graver disorders last winter. If I know anything about *homo Americanus* he will not endure another winter like the last without causing serious trouble. The question is not whether we are going to live under a perfectly administered democracy, but whether we are going to live. Therefore counsels of perfection seem singularly inappropriate at this time. It is easy to understand and respect the attitude of the Communist who honestly—and maybe correctly—believes that the success of the recovery program will postpone the revolution another fifty years. As one who not only prefers change by evolution, but believes it is better adapted to the American temperament and American institutions, I simply cannot fathom the mental processes of "liberals" who roost in their ivory towers and throw rotten eggs at the show because they don't like the color of the leading man's eyes. Such an attitude seems slightly neurotic. It might do some of these people good to climb down from their gilded perches and take a jaunt through the sordid "shanty towns" of Chicago, Detroit, Cleveland, and St. Louis, where thousands of human beings for years have been living like animals on scraps salvaged from garbage cans. After all, I seem to remember that we tried rugged individualism under Herbert Hoover. But why continue? Anatole France put the whole thing in a sentence when he said: "Every man has a sacred right to sleep under a bridge—it is only the poor who exercise it."

Lawyers and the Depression

By JAMES P. GIFFORD

"I'VE been in practice since 1920. My income has been cut in two but I must keep up a front. The world loves a winner. I've made some reductions in overhead but my chief effort has been to reduce my living expenses. We lawyers have been hard hit but we can't outwardly show our troubles. Even though fees have gone down, I'll take municipal-court cases now that I'd have scorned in 1928. My real-estate work has disappeared. Other collections are very slow. The lawyer comes in last for payment." That is the substance of what was told me early in June of this year by a lawyer who has practiced in Brooklyn for thirteen years. It is typical for the entire country.

Although some of the large offices in New York City have continued to pay bonuses and some have given slight increases in pay, others have stopped bonuses entirely and cut pay as much as 15 per cent. But that is a long way from 50 per cent. The most important factor in maintaining income seems to be reputation. The legal unit which is favorably known, be it large office, small office, or individual, is finding itself able to keep fairly close to former levels of income because of the flood of new work which has offset the decline in the old. There is a well-known saying in the profession that during the first fifteen years of your practice clients come to you because they are looking for a lawyer. After that they are looking for *you*. The individual practitioner who is still "just another lawyer" has been particularly hard hit. His steady clients have less business. They tend to impose on a long-established relationship. The new business, most of it urgent litigation, goes to the well-known lawyer; or the new clients shop around to see who will do the work most cheaply. Lawyers in practice for from five to ten years have to meet the competition of young attorneys just starting in who are willing to take anything for what it will bring. One does not have to surmise this. Although there was no marked decrease in membership in the Association of the Bar of the City of New York during the years 1930 to 1932, and the number of members dropped was negligible, the net gain in membership in the New York County Lawyers' Association, a group far more typical of the bar as a whole, runs as follows: 1929, 288; 1930, 274; 1931, 191; 1932, 3. Members dropped from the latter association for non-payment of dues numbered 175 (estimated) in 1932 and 523 in 1933. Figures for earlier years are not available. The membership of the other association suffered also, although the figures are not as striking. In 1928, 19 were dropped, 6 were reinstated, and 38 resigned; in 1929, 11 were dropped, all were reinstated, and 25 resigned; in 1930, 5 were dropped, all were reinstated, and 38 resigned; but in 1931, 18 were dropped, none reinstated, and 42 resigned; and in 1932, 16 were dropped, none reinstated, and 88 resigned. When a lawyer is willing to drop out of an association whose annual dues run from $50, in the case of the Association of the Bar, to $15 in the case of the New York County Lawyers' Association, and forgo the excellent library facilities which they afford, he is doing so because he has to.

The situation is not confined to New York City. The American Bar Association, whose membership covers the entire country, dropped 604 members for non-payment of dues in 1926-27; 780 in 1927-28; 686 in 1928-29; and 629 in 1929-30. In 1930-31 the figure jumped to 2,048 dropped members and continued high in 1931-32, 1,778 members being dropped in that year. This last figure does not lose its significance even in the face of an increase in membership during that year of over 2,200 due to an intensive membership campaign. Figures from various State bar associations reflect the same condition. In 1931 the secretary of the Illinois State Bar Association said in his report: "Unfortunately the economic conditions of the country have been reflected in the payment of dues, and although we have used the same methods as in former years, our collections have fallen down over a thousand dollars from last year." This was a drop of nearly 20 per cent. In Iowa the dues collected by the State association in 1931 were also 20 per cent less than in 1928. In Kansas the number of members paying annual dues promptly in 1926 was 425; in 1927, 495; in 1928, 522; in 1929, 403; in 1930, 353; in 1931, 372; in 1932, 338. In Massachusetts dues collected dropped over $1,000 from 1929 to 1932, about 19 per cent. The Michigan Association received $900 less in dues in 1930-31 than in 1928-29, a drop of 13 per cent. In New Jersey the loss

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

was 19 per cent. Without further wearying figures, it is apparent that the economic effect of the depression on lawyers has been fairly uniform throughout the country.

No one is surprised that the lawyer's income has suffered. That is universal. What has been the effect of the depression on the kind of work he is doing? Up to 1890, and for many generations before that, the typical lawyer earned most of his income from property transfers, contracts, collection of debts, and the administration of estates with the litigation incidental thereto. As James G. Rogers points out in the *American Bar Association Journal,* the lawyer's reputation depended chiefly upon his appearance in court in some dramatic case either civil or criminal. After 1890, as Mr. Rogers shows, various agencies began to cut into the lawyer's field. Title companies took over the searching of titles. Workmen's compensation began to eliminate litigation over industrial accidents. Summary trial, probation, and penal boards are removing much of the importance of the defense of criminals. Practice in taxation matters and before the Interstate Commerce Commission has fallen into the hands of specialists. The bank and trust company has threatened to poach on the sacred fields of the drafting and probating of wills. Gilbert said, "The policeman's lot is not a happy one." Neither is the average lawyer's. Every bar association has its committee on the unlawful practice of the law whose energies are wholly devoted to rolling back the tide which threatens what was once a monopoly. Bitter wrath is directed against collection agencies. Banks and trust companies are handled more diplomatically but they are "urged to cooperate" and to leave to the lawyer the field which is "properly" his. The truth of the matter is that this tendency to specialize is a step in the direction of efficiency, and the time is coming when lawyers will in all probability deliberately select a limited field of legal work shortly after entering practice and confine themselves to that.

To offset these inroads on the traditional work of the lawyer, attorneys in the larger urban centers began to assume the role of advisers to large corporations, and their practice became very lucrative. Litigation has never produced the huge sums which trusts, holding companies, utilities, and large corporations have been willing to pay for the legal supervision necessitated by issues of corporate securities. From 1900 to October, 1929, many scores of large offices all over the country were deriving increasing income from this type of work. The crash killed it. These large clients continued to employ the big offices for general business advice, but in many instances the sizable monthly retainer was dropped or materially reduced and the corporation hired some junior lawyer (frequently from the very office which had been its general counsel) and retained the big firm only for important matters where prestige or a large personnel was essential. To many large offices this has been a serious blow. In the height of the good years, 1927 to 1928, they enlarged their staffs and moved into new and more expensive quarters on long leases. It is likely that the partners of many large firms are having a relatively slim time.

Many of these large firms which prior to 1929 were content to operate with small litigation departments have welcomed the great increase in litigation which has followed the crash. Many cases which formerly would have been farmed out as too small are now handled for whatever modest fee they may bring. One large office which in 1929 had a litigation department of four now has eleven lawyers engaged in that field. Litigation has been a life saver not only for many large offices but for lawyers of all types. One specialist in this field with a fine reputation said that his regular office work had dropped off so much that if it had not been for the increase in litigation work which his reputation brought him, his income would have been seriously curtailed. Lawyers everywhere are going to court. Men of experience who formerly left petty cases for their junior clerks to sharpen their teeth on are appearing in the municipal courts, glad to get a chance to do something. Much of the litigation is petty. Although the number of new cases added in the Trial Term of the Supreme Court of New York County increased as follows: 1928, 4,407 new cases; 1929, 5,240; 1930, 6,855; 1931, 7,539; and 1932, 7,486, the cases in the Municipal Court increased as follows: 1928, 406,948 summons issued; 1929, 435,825; 1930, 491,449 (an increase of 55,624); and 1931, 498,685. Many lawyers tell me that the need of money on the part both of clients and of themselves has hastened settlement. Quick settlement means quick cash for the client and a quick fee for the lawyer.

Another lucrative source of income which has dried up for the average lawyer is real-property transfers. No mortgage money is available. Foreclosures have increased but they are not lucrative. Many lawyers whose chief work was in real estate are in desperate straits. All they can look to is foreclosures, summary proceedings evicting tenants, and suits for rent. These are dead dogs. Incidentally, in the Municipal Court of New York City, summary proceedings for eviction increased from 104,048 cases in 1928 to 203,271 in 1931. The 1932 figures are not yet available. The amount of suffering these cases involved is difficult to picture. Assuming four individuals to be affected by each eviction, 814,000 people were thrown out of their homes, a situation which it seems only some sort of cooperative effort can prevent in the future.

Some of the decrease in income is the fault of lawyers themselves. Unmindful of their own best interests, they have allowed court calendars to become clogged with automobile-accident cases. The result has been that it takes from three to four years for a jury case to be reached. Commercial clients with contract cases have become exasperated at the long delay and have resorted to arbitration, usually before their own trade-association boards. Within trades, forms of contract have become standardized and usually contain compulsory-arbitration clauses. A strong movement is on foot to have all automobile-accident cases handled before commissioners. This would clear the courts. But the commercial cases may never return if merchants find that arbitration before their trade associations is both rapid and fair. Although the field of commercial work has been narrowed considerably by the recession in business activity, it seems to have been increasing in recent weeks, and many a thoughtful lawyer must be gnashing his teeth at the inertia of the bar, which has been the main reason for the disappearance of much of this work. Although this source of irritation is not a peculiar manifestation of the depression, its effects are most heavily felt in such times as these.

A time of depression is, of course, a time of business reorganization—and, to make the picture of the situation accurate, one of my colleagues tells me that the past three years have been unusually prosperous ones for many of his acquaint-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ances in the profession. Even bankruptcies and receiverships have brought some measure of prosperity to some lawyers. Some offices have been so active in this field that only recently two attempts have been made in the Southern District of New York to prevent the Irving Trust Company from retaining what one protesting group called "a corporate monopoly in federal receiverships." There is little doubt that the income of many New York lawyers has been greatly curtailed through a natural tendency on the part of the trust company to limit the number of attorneys engaged in this work. A corporate receiver does not retain counsel by parceling out the jobs alphabetically from the telephone book. And if an important law firm gets a lemon the first time, the next good job will be assigned to that firm to average up. Fair enough. But meanwhile the forgotten men howl. These conditions will probably remain local unless the practice of appointing trust companies as receivers and trustees in bankruptcy becomes more general.

The effect of the depression on the morale of the profession is best evidenced by the increase of that unfortunate fringe, relatively quite small, who get into trouble and are disciplined. In the First Department, New York, twenty-nine and twenty-seven members of the bar were disciplined in 1931 and 1932. Only fifteen were punished in 1928. The 1929 and 1930 figures will not serve as a basis of comparison because the high figures of twenty-five and eighty-one during these years represent the result of the drive against ambulance chasing. The grievance committee of the Association of the Bar and the clerks of the Appellate Division concur in the opinion that a larger number of lawyers are in trouble and that they seem to be willing to risk their careers for smaller sums. In order that the lay reader may not exaggerate the extent of wickedness among our brothers let me remind him that there are between 10,000 and 15,000 lawyers in New York City. The percentage of delinquency is very small.

The depression has confronted some of the large offices with a peculiar situation. In times of prosperity the big office could handle the legal affairs of many large clients whose interests were closely allied. In times of bankruptcy and receiverships, interests formerly harmonious suddenly have, in many instances, become sharply conflicting. The chief partner of a large firm may make serious and conscientious efforts to compromise these conflicts, but consciously or unconsciously the interests of the largest client and of the one whose relationship is likely to be of most permanent value begin to dominate the situation. Then professional ethics, conscience, plain common sense, or the client himself requires that a new attorney be brought in to represent each conflicting claim. Many attorneys feel that this is a wholesome situation and that it will be a factor in restoring more independence to the individual lawyer. It may possibly have this effect. I am somewhat skeptical. A return to better times will again bring important groups with allied interests under the same roof. The present situation, even if temporary, is embarrassing to the large firms but a godsend to many an able individual lawyer.

It is extremely difficult to determine whether lawyers in certain regions have been worse hit than in others. In my attempt to discover some facts I used two sources of information. First, I took figures showing the increase in new cases handled by the various legal-aid bureaus. It seems probable that an increase in cases handled by these agencies means that the particular community is having a hard time and therefore the lawyer is suffering also. But it is possible that such an increase means that legal activity has generally increased in that community and that the lawyers are getting an increased share of it. Certainly the latter seems to be true in New York City although the increase in litigation going to lawyers seems to be offset by the loss of other types of legal work, such as real estate, commercial work, and the like. On the whole, to use the increase in legal-aid cases as an index of lawyers' prosperity seems unsatisfactory, yet it is included for what it is worth.

The total number of new cases handled by legal-aid bureaus throughout the entire country from 1920 on shows a fairly normal rate of increase up to 1929, the percentage dropping off in 1924, 1927, and 1929.

Year	*New Cases*	*Percentage of Increase over Year Preceding*
1920	96,034	—
1921	111,404	15
1922	130,585	17
1923	150,234	15
1924	121,177	—19
1925	143,653	18
1926	152,214	6
1927	142,535	—6
1928	165,817	16
1929	171,961	3.7
1930	217,643	26
1931	227,471	4.5

The jump of 26 per cent in 1930 tells a story in itself. If, because of the small percentage of increase of 1929 over 1928 (3.7 per cent), we average these two years, we find that the increase in 1930 over the average for 1928 and 1929 is 28 per cent and that the increase in 1931 over the 1928-29 average is 34 per cent. Taking these five percentages, 3.7, 26, 4.5, 28, and 34, as a measuring stick and comparing them with the percentages of increase in legal-aid work in various cities we can say roughly that conditions generally were bad at the end of 1931 in Atlanta, Baltimore, Bridgeport (Connecticut), Cincinnati, Detroit, Louisville, Pittsburgh, Providence, Reading, Rochester (New York), San Francisco, and Springfield (Massachusetts). They were below average in Denver and Philadelphia. They were average in Albany, Cambridge (Massachusetts), Chicago, Cleveland, and St. Paul. They were about average in Boston, Grand Rapids, Michigan, Kansas City, and New York, although trouble seems to have hit Kansas City as early as 1928. By average is meant average conditions for 1931.

It seems that a better check on conditions for lawyers is to be found in the figures showing membership in the American Bar Association in various States during the years 1928 to 1932 inclusive. It must be remembered that the association put on an intensive membership campaign in 1932 which was responsible for a general increase in membership. Yet certain States show a decrease in membership even during that year. The States fall into four groups. The first group includes those in which the decline in membership continued into the year 1932, namely, Arkansas, Colorado, Idaho, Iowa, Kansas, Michigan, Mississippi, Montana (which had the same membership in 1932 and 1931),

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Nebraska, North Carolina, Oregon, South Dakota, Tennessee, Texas, and Washington. Eleven of these are predominantly agricultural, three are given to cattle raising, one is a mining State, and one a manufacturing State. Group two includes States where the trend in decrease in membership ended in 1931 and includes Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Virginia, West Virginia, and Wyoming. The foregoing are predominantly agricultural with the exception of Connecticut, Massachusetts, Ohio, and Pennsylvania, which are industrial, and Nevada, whose chief industries are mining and divorces (since we are thinking of lawyers).

Group three consists of States or territories in which the trend was upward in membership from 1928 or 1929 to 1931 and 1932: Alaska, California, District of Columbia, Delaware, Missouri, New Jersey, New York, Rhode Island (slight increase), and Vermont. Missouri is the only predominantly agricultural area in this group. Group four, including Arizona, New Mexico, Utah, and Wisconsin, showed no definite trend one way or the other. It seems obvious that the agricultural regions have been hit the hardest. But that is no news. Most research results in finding out what one knew before one started.

What of the future? Two aspects of the future, which are closely related to each other, seem worthy of emphasis. One is the effect of the depression on the group which is now getting or about to get its legal education. The other is the effect hard times will have on the existing bar. As to whether the bar is at present overcrowded, opinions vary. Dean Young B. Smith of the Columbia Law School, in an address before the New Jersey State Bar Association in January, 1932, said: "Such evidence as is available indicates that there are about twice as many new lawyers admitted annually as are needed." Philip J. Wickser, in an interesting paper published in the April issue of the *American Law School Review,* concludes that although there are areas in which the bar is congested, the bar as a whole is probably not overcrowded. Even if it is, the effect of overcrowding will probably not be felt in the law schools to any great extent for some time to come. It took several years for the engineering schools to see the results of overcrowding in that profession. The effect of the depression is, however, making itself felt in the law schools. The total registration in the various law schools throughout the country has decreased steadily in the last four years for which figures are available, being 46,397 in 1928, 44,030 in 1929, 40,924 in 1930, and 39,472 in 1931. Yet the registration in the law schools requiring long pre-law-school training has increased during that time from 6,072 in 1928 to 7,453 in 1931. Registration in six of the leading law schools for the past five years was as follows:

	1928-29	*1929-30*	*1930-31*	*1931-32*	*1932-33*
Chicago	460	480	370	340	320
Columbia	638	595	566	555	600
Harvard	1,595	1,640	1,596	1,595	1,509
Michigan	565	568	534	515	506
Pennsylvania	492	514	495	443	415
Yale	339	315	339	318	301

(Figures from the "Annual Review of Legal Education" published by the Carnegie Foundation for the Advancement of Teaching. See 1932 edition for a complete analysis of the effects of the depression on law-school attendance.)

Moreover, comparative figures for law-school attendance from 1928 to 1931 show a definite trend toward the full-time, approved school. One could doubtless find a similar trend in engineering and medical schools. Young law students or their parents believe in the value of good training. If the present tendency continues, the coming generation of lawyers will be better trained than their predecessors. The change in training has manifested itself most vividly in the leading schools. There the general tendency is to shape instruction in such a way as not only to teach the student what the rules of law are but to encourage him to criticize and evaluate those rules in the light of the effect they have or may have on the general welfare of society. This so-called functional or social approach to the study of law is gaining ground rapidly and will be of tremendous practical importance to the coming generation of lawyers. Each day the news from Washington makes us keenly aware that the New Deal is being, and is going to be, expressed in essentially legal formulas. Persuasion may be the device whereby the business men will be induced to take action, but the final result is to rest on a legal structure far more extensive and far more flexible than anything we have yet seen. The lawyer of the future should be prepared to resume or perhaps assume his place as business adviser. If he is wise he will be more ready to tell his client what the client ought to do than how he can do what he wants to do. The important lawyer of the past generation was a discoverer of loopholes. The great lawyer of tomorrow will more likely be a pilot toward a goal of social strength and harmony. Although this will be the main tendency, we must not forget that every social structure is essentially a compromise between individual liberties and group necessities. This compromise is never static and there need be no fear that individuals will fail to rebel and struggle to maintain their liberties. In that struggle the lawyer, the advocate, will always have a dominant part. The difficulties of the present should tend to strengthen and educate the present generation of young lawyers in self-reliance and independence. The times may breed a group less willing to be subservient to the layman's greedy wish yet equally willing to protect him against oppression and mass domination. It is in soft, fat times that men turn to the worship of Mammon.

Whether older lawyers can adapt themselves to new ideas and changed emphases remains to be seen. Many judges stand as a potential barrier against much that is being attempted. The conservative type of older attorney will continue to carry great weight with the courts. But judges with more flexible minds will write dissenting opinions that will become majority rules in the next twenty years. That is the lesson of the past. Will the generation of relatively young, intelligent, skilful lawyers now in the very thick of things in Washington return in another four, eight, or ten years to cash in on their knowledge and experience as the generation before them did? Quite likely. But the round will continue, and let us hope that the law schools will not lose vision and will not cease to pour into the tide well-trained, intelligent men and women who will continue to work for a better-balanced, more harmonious social order.

[*This is the fourth of a series on the effects of the economic crisis on the professions. The fifth, The Artist and the Depression, by Suzanne La Follette, will appear next week.*]

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Austerity of George Kelly

By JOSEPH WOOD KRUTCH

GEORGE KELLY is something of an anomaly in the contemporary theater. Two of his plays have enjoyed phenomenal runs on Broadway and one of the two won the Pulitzer prize besides. Yet neither of these is as characteristic of the author as others less successful, and it would not be rash to wager that neither is as close to Mr. Kelly's own heart as one or two which the public has classed as failures. Both of his "hits"—"The Show Off" and "Craig's Wife"—richly deserved their popularity. Both were soundly constructed and both were based upon shrewd and honest observation, but each had, in addition, the advantage of belonging to a familiar and popular genre. The first, with a blustering Babbitt for a hero, was a recognizable addition to the growing literature of native satire. The second, which drew at full length the portrait of a hard woman in whom the virtue of being a good housekeeper had become a vice, was typically "modern" in a slightly different way. It illustrated admirably that tendency to "transvaluate values" which Ibsen had introduced into the theater and which, in a somewhat popularized form, one will discover in such typical plays of the recent past as "The Silver Cord" and "Rain." No wonder that Mr. Kelly was set down as a dramatist working in a current tradition and sufficiently of Broadway to find ready acceptance. No wonder, also, that his public was somewhat *froissé* by the increasing bitterness of "Daisy Mayme" or that it should have been frankly bewildered by the almost mystical tone of "Behold the Bridegroom." Mr. Kelly refused to stay put and was determined to accentuate those aspects of his attitude which were the least familiar and the least acceptable to his audience. He was saying with a calm and cold emphasis: "Make no mistake. I am not of Broadway."

With his latest work in mind it is easy to look back over the earlier plays and to catch in their text ominous hints of this more stern and acrid tone. Even in "The Show Off" there are moments when a certain unexpected bitterness rises momentarily to the surface, as when, for example, the harassed mother hears the remark that her daughter must lie on the bed she has made and replies quite simply: "It's often not the people who make the beds who have to lie on them. It's someone else." A few moments later the observation has been forgotten in the flow of pure fun, but for an instant there has found expression something in the author which would be cynicism if it were not too sternly moralistic to be quite that. Indeed, the whole character of this mother adds to the play an element quite foreign to its dominant tone, for she is a sort of chorus supplying disillusioned comment, prophesying woe, and refusing to enter fully into the easy joy of the rest when good fortune solves all their difficulties.

Even more significant is the one-act play, "Smarty's Party," written long before, during the five years when Mr. Kelly was appearing in vaudeville in playlets of his own composition. Here the story is that of a vulgar adventuress who entangles a young man supposed to be very wealthy, who comes to his supposed mother to enjoy her moment of triumph, and who then is crushed with the information that her victim is not really that woman's son at all. Here Mr. Kelly first delineates with cruel expertness the vulgarity of the adventuress and then, with a kind of savage delight, destroys her utterly. Thus the pattern of the play is exactly the same as the pattern of "Craig's Wife," where another evil woman is analyzed at full length before the author, with an almost sadistic fury, plunges her into a special circle of hell so arranged that her vice will constitute the means by which she is tortured. The heroine of "Smarty's Party" wanted money and got poverty; Craig's wife loved her home so much that she found herself homeless at last.

Drawing by Georges Schreiber

George Kelly

One cannot help observing that Mr. Kelly's three most bitterly excoriated characters—namely, the two just mentioned and one to be discussed later—are all women. There is in him, therefore, a strain of what one is tempted to call misogny, but it is not certain that the term would be exactly accurate. He does not seem to be saying that women as a sex are worse than men. He is only saying instead, "Lilies that fester smell far worse than weeds," and the key to his temperament is a particular kind of austerity which goes commonly under the name of puritanism. Vulgarity offends him, not only aesthetically but morally as well, and the kind of meanness which he sees most commonly in men and women strikes him always as a sort of vulgarity of the soul. He despises it with a certain cold fury, and his desire is the puritanical desire to see a crushing justice meted out to it. Others may feel that to understand all is to pardon all, but to the puritan that saying is incomprehensible nonsense. To understand all is to hate all—if that "all" be hateful. Each of his most striking heroine-victims is understood with a cruel clarity, but none is pardoned and none, be it noted also, is reformed and then rewarded. All three are cast out instead into outer—and utter—darkness.

It was "Craig's Wife," produced in October, 1925, which won the Pulitzer prize. The next year Kelly produced without great success another acrid study of family life called "Daisy Mayme," but it is "Behold the Bridegroom" (1928) which represents Mr. Kelly's most determined and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

most nearly successful effort to break completely away from the themes and methods of the contemporary stage in order to give full expression to his underlying attitude.

All of Mr. Kelly's other plays are richly overlaid with local color. The immediate effectiveness of all depends in large part upon skilful mimicry and upon the literal realism with which he pictures middle-class American life. Here, however, he departs from his accustomed milieu. Manners are more elegant, characters more self-consciously analytic, and the whole style is more formally literary. But the effect is only to disengage more completely the essential moral problem and to make the discussion of it quite clearly the only *raison d'être* of the play. Again the hero—if she can be called that—is a woman, but this time her sin is that vulgarity which results from the indulgence of a too facile and too shallow emotional nature. She is smart, sophisticated, and charming. She has moved gracefully from one love affair to another and thinks that she has demonstrated by her success how completely the intelligence may dispense with those simple rules of puritan morality which are never far from Mr. Kelly's mind. But the moment comes when she realizes that she really loves for the first time in her life. And her creator seizes the opportunity to destroy her as he had destroyed Craig's wife. She looks into the bridegroom's eyes, reads there his contempt, and then dies, not so much because of that contempt as because she has realized at last her own emptiness.

Probably most persons were made a little uncomfortable by the mercilessness with which justice was visited upon Mr. Kelly's earlier heroines. Some have even suggested that a more knowing playwright would not have pushed retribution so far as to swing the sympathy of the audience round in the direction of its victim. But it is no mere dramaturgic mistake which is responsible for Mr. Kelly's relentlessness either in the case of "Craig's Wife" or in the case of "Behold the Bridegroom." He must have known very well that the public would not judge the heroine of the latter play so harshly as he did, that there is, as a matter of fact, no sin which this public is more ready to forgive—in fiction at least—than the sin of light love. Indeed, the romantic-sentimental tradition makes it almost the necessary prelude to a grand passion. But Mr. Kelly would not compromise here with his puritan conscience or make any effort to hide his contempt for contemporary morality. His heroine had wasted her capacities on cheap loves, she was not ready when the bridegroom came, and she had forfeited all right to the thing whose value she had come to understand only when it was too late. Hence she awakes, not to be saved, but only in order that she may realize what she has lost. Only thus can the puritan sense of justice be served, for the damned must be given one glimpse of paradise before they are plunged into hell forever.

No other play by Mr. Kelly—indeed, few contemporary plays by any author whatsoever—has, in certain respects, a finer literary quality than this one has. There is a passionate sincerity in the conception and a beautiful clarity in the dialogue which raise it far above the level of merely successful dramatic writing. The author seems to be struggling to free himself from the limitations of mere naturalism, and very nearly succeeds, by his passion and his coherence, in raising it to the level of quasi-poetic tragedy. Yet the fact remains that the play was commercially a failure and, what is more important, that all the respect which one feels for it does not prevent certain objections from arising in the mind of either the spectator or the reader.

One is, to put it briefly, neither quite convinced nor quite sure that one ought to be. "Men have died from time to time and worms have eaten them, but not for love." This we have upon the authority of one of Shakespeare's heroines, and it may be urged against the conclusion which Mr. Kelly has given to his play, but the most serious of my doubts are not of this naturalistic kind. I can accept the physical features of his conclusion and I can respect the moral sincerity which has enabled him to develop an almost pietistic thesis without falling into mere priggishness on the one hand or into rant on the other, but I honestly doubt that nature is constructed upon any plan so in accord with a puritan sense of moral fitness. Perhaps a spoiled and empty woman should die of self-contempt when she sees herself; perhaps she should feel herself forever unworthy of love if she chances at last to meet it; but I doubt that she would actually feel so or that there is anything to be gained by trying to make her. We forgive ourselves more easily and it is as well that we should. Artists and moralists both love to contemplate the irreparable—it helps the one to be dramatic and it helps the other to satisfy his sense of justice. But nature is more compliant. Time cannot be called back, and what has been physically destroyed cannot be found again, but nothing else is irretrievably lost and there are no sins that ought not and cannot be forgiven.

Mr. Kelly has been silent since he produced "Maggie the Magnificent" in November, 1929. In this latest of his plays he returned to the middle-class milieu and the more realistic manner. But here again he is concerned with integrity of character as it is brought out in the contrast between the disorderly soul of an uncultivated mother and the efficient determination of a daughter who lifts herself by her own efforts above the vulgarity amidst which she grew up. But Mr. Kelly seems incapable of making either men or women as likable as they ought to be. There is in the characters whom he admires something stiff and prim and priggish which chills the beholder and seems to suggest that the author hates what is cheap and common with such an all-absorbing fury that he has become incapable of exercising his critical judgment upon anyone who escapes the one vice he cannot forgive. The "bridegroom" in the previous play was not intended to be repellently self-righteous, but there was a suggestion of repellent self-righteousness in him. Similarly, the Maggie of this piece is actually a good deal less than magnificent. She is neat, orderly, assured, decent, and correct, but only Mr. Kelly would admire her with warmth. We are expected to feel in her an austere nobility, but we actually feel a kind of spinsterish frigidity, and we cannot rejoice as we should in her triumph because we cannot sympathize warmly enough with her essentially negative aspirations.

This suggests, I think, the key to the mystery surrounding the fact that Mr. Kelly's most characteristic and most seriously meant plays do not quite achieve the success that they seem at times about to reach. There is a touch of coldness in his nature, a certain stubborn negativeness in his moral attitude, which lays a blight upon his plays. Essentially they are rather dour and frost-bitten, rather bleak at the very moments when a grave beauty ought to emerge. He wants, like Milton, to express the grandeur of puritanism, but he

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is somehow earthbound and cannot entirely escape from a certain unlovely rigidity. There is too much realism, too much prose, where a kind of ecstasy is called for. When a puritan is also a poet, the result can be magnificent, but Mr. Kelly is not quite poet enough. He commands respect but he cannot quite inspire a genuine enthusiasm.

[*This is the third of four articles by Mr. Krutch on contemporary dramatists. The fourth will appear soon.*]

In the Driftway

AUGUST newspapers, as everybody knows, are unlike the newspapers of any other month. In August the temperature rises higher than the melting-point of even hard-headed city editors, and almost anything may happen. The reader, too, contributes to the confusion. Some newspaper headlines are hard to decipher in mid-January, but the haze of heat distorts even those which make sense. For instance, when the Drifter read in the *Herald Tribune* on August 14 that "Hull's Kin Visits His Frigate," it was quite natural, in view of the recent unpleasantness at London, that he should think of Cordell. What was his amazement, then, to read in the second line that "Granddaughter, 82, Is Shown Over Old Ironsides"!

* * * * *

HE had no sooner got that figured out than he bumped, on the same page, into "Girl, Born Amid Battle, Routs 3 Bandits, Killing 1." Husky baby, thought the Drifter and called for an iced drink. His head cooler, he read on to discover that the Battle Amid which the redoubtable Girl had been Born had occurred some eighteen years before. For a day the Drifter stayed away from the *Herald Tribune,* trusting neither its head writers nor his own senses. It was not long enough, however, for on August 16 the following story leaped out at him:

> Bogota, Colombia, Aug. 15 (UP).—Luis and Carola Perez, of San Pedro, in the Bolivar Department, announced in a telegram read in the Senate today the birth of seven children. . . . The telegram . . . was referred to the Committee on Public Works.

* * * * *

IT remained for the *World-Telegram,* however, to serve up the essence of American culture in August. This may be a misprint caused by melting type and an overheated etiquette editor, but here it is:

> YOUR MANNERS
>
> My fiance tells me that it is very bad form to refuse to have a drink on the house, even if you really do not want it. Is this true?—S. K.
>
> ---
>
> Not if you thank the bartender graciously, explain that you have to hurry off, and ask him to save it for you until another time.

The Drifter has resolved to read no more newspapers until frost. Instead, he will thank his newsboy graciously, explain that he has to hurry away, and ask him to save them for him until another time. It is best.

THE DRIFTER

Correspondence

India Is Tired

To the Editors of The Nation:

The meeting of the Congress leaders in Poona is now over, and India, or rather Mr. Gandhi, has taken another momentous decision. Mass civil disobedience is to continue. But it will be in name only. For as every provincial leader except a few blind followers of Mr. Gandhi asserted, the country is tired of the struggle and cannot continue it any longer. This statement on the part of the overwhelming majority of the leaders was not, as Mr. Gandhi insinuated, a result of their own weariness, but a true statement well borne out by facts and figures. The ordinances with their brutal clauses have struck terror to the hearts of the people, who are no longer willing to break the laws and go to jail. In the eighteen months of the present campaign, twice as long as the last one, only half as many people have gone to prison. The boycott of British goods, a very potent weapon, is dead everywhere, the Bombay cotton market being the last to yield. Swadeshi, the movement to use only Indian goods, has suffered a severe setback owing to the abnormally low prices of Japanese goods, which have been flooding the markets for more than a year. Financial help from the business community is also not readily forthcoming. The mill-owners and the merchants are looking more and more to the government rather than to the Congress for their betterment. As for labor, it never supported Mr. Gandhi, and its leaders have time and again denounced him for betraying the cause of the revolutionary masses. Even the peasants are showing unmistakable signs of having lost their confidence in him. They are paying the land taxes and are actively cooperating with the government for their own little benefit.

In spite of these telling facts, Mr. Gandhi made a very emotional "no-surrender" speech, appealing to the audience in the subtle manner of which he alone is capable. And the result was that he got his way. The resolution in favor of civil disobedience if the Viceroy did not yield was carried by a majority of 24, 16 voting against and 40 voting for. But this vote did not reflect the true opinion of the conference because out of 150 delegates who attended only 56 voted. The rest either had not the courage of their conviction or did not wish to offend Mr. Gandhi and so did not vote, though most of them in their conference speeches had made out a strong case for the withdrawal of civil disobedience.

This fatal decision of Mr. Gandhi's will go down in history as another of his Himalayan blunders. It will create a split in the Congress Party, and the majority will side with those who decide to withdraw from the Congress of Mr. Gandhi and enter the reformed councils. History will unfortunately repeat itself and the whole episode of the Swarajist tactics will be reenacted. This is exactly what the government wants. With Congress officially not taking part in the coming elections for the reformed councils, the government, with the aid of the liberals, will be able to intrench itself in power for another five or ten years to come.

The outlook for my country is indeed dark today. The only ray of hope lies in the fact that the realization is dawning upon more and more people that the non-violent tactics of Mr. Gandhi will not result in any appreciable betterment of the condition of the people of India. Many people have also realized that his methods will not result in a seizure of power by the Indians. Thoughtful people are therefore turning away from him and going over to the revolutionary side. The worsening of the position of the masses is, indeed, making more and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

more for a revolutionary situation. But unfortunately the forces of the revolution are very badly organized. The suicidal policy of Mr. Gandhi will no doubt strengthen the hands of the revolutionaries, but the day of their victory is yet far off.

Bombay, July 15 S. K. SHAH

$300,000,000 Not $300,000

TO THE EDITORS OF THE NATION:

Three important ciphers slipped out of one figure in my article in *The Nation,* The Utility Crisis in New York. Gas, electric, and telephone dividends in New York State have been $300,000,000 per annum, and not $300,000.

New York, August 24 JEROME COUNT

Look on This Picture—

TO THE EDITORS OF THE NATION:

I resent most emphatically your attitude toward Germany. Please scratch my name off your subscribers' list.

St. Joachimstal, Czecho-Slovakia, July 4 C. J. GRIMM

Then on This!

TO THE EDITORS OF THE NATION:

Some time ago I addressed a very complimentary communication to *The Nation,* which may have sounded like flattery but was, nevertheless, meant in all sincerity. The letter did not appear in print. Since then I have noticed that your communicants who insist on burying *The Nation* with all manner of anathema and imprecation have their communications printed. Is this not carrying your modesty too far?

Of late I have been searching *The Nation* diligently to find some utterance or attitude I could earnestly decry, hoping that would enable me to break into print. The endeavor has proved fruitless, for I find I am in substantial agreement with everything you have to say. So I suppose I'll have to remain in obscurity for the simple reason that I am in hearty accord with the policies and attitudes of *The Nation.*

Now, if you don't print this, I won't give a whoop. I just wanted to get it off my chest.

Medford, Oregon, July 19 C. W. KIRKPATRICK

Mad

TO THE EDITORS OF THE NATION:

In this morning's mail I opened a letter from a professor in the University of Witwatersrand,, Johannesburg, South Africa, and read as follows: "This old world of ours is getting madder every day."

The next letter I opened was one from a captain of the British Royal Engineers, now living in Satara City, Bombay, India. His letter began as follows: "*Mad* is the only word for the state of affairs now existing. You perhaps have heard what Dr. Derloges of Canada has been saying lately just about that." I do not happen to know what Dr. Derloges has been saying, but it seems to me an interesting fact that three educated men as far apart as South Africa, India, and Canada should be saying the same thing about this world of ours.

Los Angeles, California, July 10 UPTON SINCLAIR

Make Everybody Pay

TO THE EDITORS OF THE NATION:

A simple way to increase the government's revenue would be to make those who are now exempted from paying a federal income tax share in our financial burdens through a constitutional amendment. The Treasury Department in Washington informs me that no express provision in the Constitution prohibits the federal government from taxing the instrumentalities of a State or vice versa; but in accordance with judicial interpretation there is implied constitutional prohibition against such taxation.

I am a veteran of the Spanish War and lost my hearing as a result of disease contracted in Cuba in 1898. I have always paid an income tax, small as it was. It is irritating to find so many who never shouldered a gun exempt from contributing to our war debts.

An amendment to the Constitution appears to be the only way to overcome the limitation and to permit the taxation by our federal government of the compensation of all officers and employees of States and their political subdivisions.

New York, May 1 AMOS H. BARNETT

For New Jersey Readers

TO THE EDITORS OF THE NATION:

Will readers of *The Nation* residing in Hudson County, New Jersey, who are interested in forming a *Nation* Club, communicate with me at 905 Bergen Avenue, Jersey City, New Jersey. My telephone number is Journal Square 2-2175.

Jersey City, July 15 ABRAHAM LEVINE

UNION OF
Soviet Socialist Republics
7% GOLD BONDS (Due 1943)
Interest Payable Quarterly

Interest and principal payable in American currency on the basis of the value of the gold rouble in terms of the U. S. dollar. (A gold rouble contains 0.774234 grams of pure gold.)

This prime security is a direct obligation of the Union of Soviet Socialist Republics and is part of the internal loan issued to further the Second Five Year Plan.

MARKET: On demand of the bondholder, the State Bank of the U. S. S. R. will repurchase these bonds at any time after one year from date of purchase at par and accrued interest.

Circular fully describing this issue will be sent upon request

SOVIET AMERICAN SECURITIES CORP.
30 BROAD STREET, NEW YORK Tel. HAnover 2-6955

This is not an offering of new securities. The bonds are the remainder of an offering of 10,000,000 roubles initially made on July 24, 1933.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Books, Art, Films

The Ecstatic

By C. DAY LEWIS

Lark, skylark, spilling your rubbed and round
Pebbles of sound in air's still lake,
Whose widening circles fill the noon; yet none
Is known so small beside the sun.

Be strong your fervent soaring, your skyward air!
Tremble there, a nerve of song!
Float up there where voice and wing are one,
A singing star, a note of light!

Buoyed, embayed in heaven's noon-wide reaches—
For soon light's tide will turn—Oh stay!
Cease not till day streams to the west; then down
That estuary drop down to peace!

South American Rhapsody

Indian Air. Impressions of Travel in South America. By Paul Morand. Translated by Desmond Flower. Houghton Mifflin Company. $2.

THE initial chapter of this book, from which the title is derived, may be regarded as the author's error. This shallow, poetic thesis, in which the Americas, in a division of continents, are allotted principles "in air," attempts to unite, under winged symbols, New York skyscrapers, aeroplanes, Iroquois and Apache headdresses, Patagonian clothing, the down robes of the dancers of Sikuri, and the Wright brothers—all influenced by the "exciting electricity" which is our Western element. There is in this the hint of something which might convince if propounded with a resource and a seriousness absent here, where we have only a jazz rendition of Waldo Frank's "America Hispana": a book which convinces as art because the metaphysical intensity of the writer wins us from a too critical consideration of the superficiality of his acquaintance with the actualities which have inspired him.

One wishes Paul Morand had not, as he admits, read Waldo Frank, and had not introduced us to travel with this perfunctory soothsaying. It provokes the reader to an annoying skepticism, and makes one question the existence of "green toucans" (though there may be such creatures), and causes one to register a quibbling objection to the confusing of parrots with love birds. Let an author of this kind touch on facts one has oneself experienced, irritation will result. From the farewell salute M. Morand offers Buenos Aires, where he first takes off, to the adieu he bids the plane from which he descends in the swamps of Louisiana, his amazing eye-mindedness is given the elaborate and somewhat chaotic support of informational bits hurled into paragraphs which are lyrics of reference; yet of reference we somehow doubt to have been investigated with any earnestness. His spontaneity is charming. Because he sees fit to lard his sentences with cultural allusions demanding substantiation no tourist can provide, the virtues of his style are sometimes lost.

As with all travelers' accounts of lands and peoples remote in spirit, this account is most valid when it is most personal, when we share the writer's physical excitement in discovering below him, as he gazes from his plane, so vast an earth. The visual thrill he had in passing, like a rain cloud, in a few hours, over a nation is one we also may enjoy. As Pierre Loti, with lyric nostalgia, wrote of Turkey, Algeria, Egypt, M. Morand writes, out of a vivid intoxication with space, of soaring where previous generations have ambled on mules or trudged footsore. Sweeping on silver wings above the Andes, plowing through the water of Lake Titicaca, the high lake of the world, on a modern English steamer, communicating with a friend in Paris by a telephone connection established in Chile—such events hold the essence of the drama of modern travel, romantic, exalting.

It is the pretentious generalizing on civilization and racial character which taints an elating impressionism. "Body of South America, a complete organism, of which the Amazons, enlarged like a breast, are the lungs, the Argentine the gullet, the Plate the digestive tube, the rivers the arteries, with towns perched on the confluents like glands." Such facile recourse to the pathetic fallacy, recurring frequently, adds another exasperation.

It is an advantage of the fictional form that it permits a writer to select material for the sake of its emotional importance to himself, but the traveler, skimming above historic sites, is under an obligation to give them their due, though he must resort to a guidebook. M. Morand's own South America is in his rhapsodic response to the spectacular peaks and glaciers he glimpses, to the jungles scarred by the tombs of dead races, and to the empty deserts lying beneath him in an arid hush broken by the rumble of propellers.

Arrived in Louisiana, he falls back on the Abbé Prévost, and realizes little more of the scene today than a man might with the shrillness of Paris beyond his window and "Manon," open at a certain chapter, on his knee. To Morand, Louisiana has "the face of a child suffering from an incurable disease." To this reviewer, the face reflected in swamps, amidst palmettos and sad trees heavy with gray moss, happens to be an ancient, primeval one. The cursory statements of the voyager seem frail substitutes for the fact. M. Morand has tourist exhaustion, and must end his book somehow.

Yet, in "Indian Air," epic moods inadequately purveyed by writers of advertising copy are interpreted by an artist.

EVELYN SCOTT

Literary Trapezist

Orphée. By Jean Cocteau. Translated by Carl Wildman. Frontispiece by Pablo Picasso. Oxford University Press. $2.50.

"TELL Jean Cocteau that I adore him," wrote Rainer Maria Rilke, 'the only person for whom the Myth opens its gates and from which he returns bronzed as from the seaside." Here it is the myth of Orpheus and Eurydice whose gates are thrown open for M. Cocteau: an Orpheus, it is true, who turns out to bear a striking resemblance to M. Cocteau himself, and a Eurydice who belongs to the period when Dada was the rage of the boulevards and postcard photographs were supposed to possess "a harmony, a harsh simplicity" which made them preferable to the major works of Rubens and Velasquez. There is also a character named Heurtebise, who belongs to "the race of the horse": this means that when the chair on which he is standing is withdrawn he is capable of remaining suspended in mid-air. One gathers (Cocteau himself played Heurtebise when Pitöeff produced the playlet) that with this ingratiating fakir also one may identify, if not the author, at least what is the wish-fulfilment of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

author, of this charming, ingenious, and delicately mad little offering. It seems rather foolish, however, to designate "Orphée" as Cocteau's masterpiece, as the translator does in his preface, since "Les Enfants Terribles" is an infinitely more serious and substantial work, and, what is more to the point, Cocteau would consider producing anything so pretentious as a masterpiece as constituting something like a breach of faith. Of Cocteau one may say what Arthur Symons said long ago of Oscar Wilde—that he is "an artist in attitudes." Here the attitude is that of the trapezist, "playing at a great height, and without a safety net." As always Cocteau manages to get through the performance without a fall, although one is not sure from beginning to end whether it may not all be an optical illusion. But that is the essence of the pleasure which everything that Cocteau does is able to provide. It must be added that the book is exquisitely produced, with typography by John Johnson, and with a Chiricoesque frontispiece by Picasso.

WILLIAM TROY

They Had to See Russia

Russia Day by Day. By Corliss and Margaret Lamont. Covici-Friede. $2.

The Tragedy of Russia. By Will Durant. Simon and Schuster. $1.25.

This Russian Business. By E. T. Brown. Houghton Mifflin Company. $2.75.

ONE can scarcely read these three books, all written on the basis of comparatively short trips to Russia, without feeling that there is no such thing as objective truth about the Soviet system. There is not the slightest reason to question the good faith of any of the authors or the sincerity of the impressions which they derived from sojourns in Russia which ranged from two months for Mr. and Mrs. Lamont to shorter periods for Messrs. Durant and Brown.

But if one sets down the impressions of the Lamonts side by side with those of Mr. Durant, the resultant effect is something like emerging from a darkened room into a burst of sunshine. One envisages the typical Russian who talks with the Lamonts as a buoyant, enthusiastic young person of either sex who laughs and sings and shouts: "Isn't it wonderful, what we have done? Of course there are a few difficulties with food and housing and coordination, but those will all be swept away in good time." By contrast Mr. Durant's Russian is a gloomy, depressed individual who has long lost all capacity to sing, to laugh, or even to smile, who sidles up to the American visitor, glancing furtively around to see that there are no spies within earshot, and whispers: "Isn't it simply terrible? All hope and joy crushed out of us. And of course we are all starving."

Far be it from the reviewer, because of his own extended period of residence in Moscow, to look with undue superciliousness on the impressionistic works of short-term observers. It not infrequently happens that a fresh observer reacts quickly and sensitively to features of daily life which are overlooked or taken for granted by permanent inhabitants. But there is one distinct peril that besets the casual visitor. The checks which the objective facts of the situation impose upon his personal viewpoint are few and can be quite easily and unconsciously evaded. All the books under review illustrate this peril in varying degrees.

Of the three the work of Mr. and Mrs. Lamont stays best within the limits which a comparatively brief visit should impose. It is in the form of a day-by-day diary in which the authors record the events of a prolonged tour which took them first to Leningrad and Moscow, then down the Volga, through the Caucasus, and out of the Soviet Union by way of the Crimea, the Dnieperstroi dam, and Kiev. They were extremely hardworking and conscientious tourists, especially during their stay in Moscow; and the range of their contacts and interests may be gathered from such headings of individual days as: "Western Art. Anna Louise Strong. Five-Year Plan"; or "Amo Factory. Woman's Prison. Louis Fischer. *Izvestia.*"

Their narrative makes smooth and pleasant reading because they were so obviously enjoying the manifold sights and impressions and discussion topics of what they regard as "the new world of the twentieth century." And if they are somewhat jauntily willing and even eager to learn and credit the ever-ready official excuse for this or that obvious failing, one admires their philosophic good nature in the face of nocturnal insects on Volga boats and of mired buses on the steppes of the North Caucasus, and feels that they would have been agreeable travel companions on the somewhat strenuous tour of Russia. One can scarcely leave unchallenged, however, their easy assumption that "socialism in America could be depended on to improve things at least as much as has socialism in Russia. And since America starts far ahead of the Soviet the results in the U. S. A. would be phenomenal. . . . Socialism in America might in rather short order provide every family with the equivalent of a $25,000 income." Leaving out the complicated and debatable question of how far socialism in Russia has improved things, it would certainly seem inconceivable that socialism on the Russian Bolshevik model could be introduced into a country with America's historic and economic background without provoking desperate and prolonged resistance; and in the process of that resistance the technocratic mirage of a $25,000 income for every family would probably resolve itself into something more like the meager rations of the average Soviet citizen today.

The Soviet Union may well pray to be delivered from ex-admirers, who are almost invariably more bitter and intemperate in their denunciations than conservatives or liberals who were never over-hopeful about the results of communism. Will Durant, as readers of the *Saturday Evening Post* articles which constitute the bulk of his present book know, is a recruit to the ranks of the disillusioned.

There is no reason why anyone should not change his opinion about the Soviet Union; and certainly varied cases can be made against Bolshevik theory and practice by believers in religion, private capitalism, anarchism, and moderate socialism. Exception, however, can be taken to Mr. Durant's efforts to rear a formidable structure of sweeping generalizations ("Slavery, barbarism, and desolation; this, fundamentally, despite a thousand minor virtues, is what Russia is today") on a narrow base of factual observation. What he seems to have discovered by personal observation is that there is squalor and hunger in Russian provincial towns, that there is a general lack of up-to-date sanitary facilities and a good deal of confusion and disorganization in the handling of railroad passengers, all of which is quite true; also that people never laugh and never sing, which is demonstrably untrue.

His pontifical judgments on the Five-Year Plan, on Communist psychology and methods of administration, on the personalities of Soviet leaders, are based in considerable degree on arbitrary selections from other people's impressions, with the result that his book is studded with factual mistakes and conveys a hasty and superficial impression. To list a few of the varied mistakes: the Nijni Novgorod automobile factory was at no time abandoned; the plan called for 9,500,000 tons of pig iron, not in the first eight months, but in the whole year of 1932; the former head of the trade unions, Tomsky, is not "languishing in Siberia"; the amount of land planted with grain from January 1 until August 25, 1932, was not 7,000,000 acres but much closer to 250,000,000 acres; Lenin, as the slightest acquaintance with his works would prove, never believed that

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the slogan "From each according to his ability, to each according to his need" could be introduced immediately after the revolution.

Mr. Brown's work belongs in the class of the favorable reactions to the Soviet Union. Its value is diminished by the fact that the author has a weakness for drifting from direct observation to long-winded generalization about this or that ethical or sociological problem involved in the Soviet regime. Some of his generalizations, such as "Persecution and propaganda are in their nature incongruous," may be philosophically unimpeachable; yet the two methods certainly go hand in hand not only in the Soviet Union but also in Germany and Italy, under their present regimes. And one hopes that no discontented English worker, employed or unemployed, will take too seriously Mr. Brown's extraordinary statement that "plain substantial meals for workmen in Russia are rather cheaper than in England," while "meat at a shop is probably rather dearer, although not much." The quality of the meals and the availability of the meat are dismissed with airy unconcern.

WILLIAM HENRY CHAMBERLIN

Ex-Regulator

Public Utilities and the People. By William A. Prendergast. D. Appleton-Century Company. $3.

WILLIAM A. PRENDERGAST was formerly chairman of the Public Service Commission of the State of New York, and until recently executive vice-president of three large private companies. His book covers the nature and functions of public utilities; discusses the power trust, holding companies, various theories of valuation, rates, and accounting procedure; asks whether regulation has broken down; and discusses public ownership as the alternative. One has a feeling that the categories have all been listed, and that the arguments for and against every controversial question have been presented. Then he evaluates the arguments and resolves every question in favor of the power companies. "We are brought to the conclusion that nothing which can reasonably be called a 'power trust' exists in this country today or has existed in the past," he says, though he lists groupings of power companies covering the entire country, acting politically as a unit through the National Electric Light Association. He minimizes the bad effects of lack of State or national regulation of power sold by company to company across State lines, though he thinks there should be some regulation. While approving the theory of valuation based on present "reproduction costs" less depreciation, as responsive to the changing value of the dollar, he recognizes its futility as a prompt means of making rate changes, and proposes instead that the rate base used be the "book value" of the utilities, revised as to property acquired prior to June 30, 1917, by applying a price-index figure, so that the prices may be given their present-day dollar value, and then adds the *actual book* costs of "all property installed since June 30, 1917." Since the art of "write-ups" of utility property was not lost in 1917, and has been practiced by operating as well as holding companies, this method would seem to offer little protection to the consumer. While recognizing the bad failure of regulation in many States, due to imperfect laws, control of the commissioners by the companies regulated, and inadequate fact-finding facilities, he prefers to trust to improvement in regulation rather than permit communities to "roll their own" through public ownership. If he had digested some of the basic facts in, say, Mr. Cooke's recent volume, "What Electricity Costs," he could hardly have reached some of his conclusions. But if one reads his book with due allowance for its point of view, it is readable, informative, and helpful.

LOUIS BARTLETT

San Francisco Sin

The Barbary Coast. An Informal History of the San Francisco Underworld. By Herbert Asbury. Alfred A. Knopf. $3.

SAN FRANCISCO has inconsiderately failed to erect a monument to the unknown advertising genius who, in the middle eighteen-sixties, first christened the block of dives, concert-saloons, and brothels on Pacific Street between Kearney and Montgomery, the "Barbary Coast." For the fame of the district, which grew with the years and with the expansion of its boundaries, owed not a little to this lurid and barbaric phrase. From 1849 until 1914 the Barbary Coast flourished as one of the most celebrated acres of iniquity on the North American continent. Long prior to 1914, however, it had become, in Mr. Asbury's melancholy phrase, merely "a slummer's paradise." The period of its robustness and vigor, like that of many other San Francisco institutions, was brought to a close by the earthquake and fire of 1906; from then until 1914 the vice of the Barbary Coast was largely synthetic. Although the Barbary Coast has been luridly depicted in innumerable Sunday-supplement melodramas and feature stories, Mr. Asbury has written the first semi-historical account of the district. To the task of chronicling its tumultuous history he has devoted himself with commendable seriousness and even a sort of scholarly piety. He has not been abashed by the gruesome or intimidated by the vicious. With an admirably disciplined sobriety and candor, he writes quite as respectfully of the Galloping Cow and Cowboy Maggie as Trevelyan describing the early life of Queen Anne or Macaulay the features of Warren Hastings.

The one weakness of Mr. Asbury's volume consists in its discursiveness. For the subtitle of the volume is really more descriptive of its contents than the title. A large part of the book is devoted to such familiar phases of the history of California as the discovery of gold; the boisterous character of early San Francisco; the Chinese, with their tong wars, lotteries, and struggles to maintain their queues and hand laundries; the doings of the venerated vigilance committees; and such romantic characters as the bandit Joaquin Murieta and the Emperor Norton. These passages form no part of the history of the Barbary Coast, although they make interesting reading no matter how often they are rehashed.

There is much material in the volume, however, that will startle even the collector of Californiana. Of particular interest is the chapter on the "Sydney ducks"—ticket-of-leave men who escaped from the prison camps of Australia and terrorized San Francisco for a decade. There is also an amusing chapter on the lost art of shanghaiing sailors. The fabulous characters that Mr. Asbury vividly presents in this chapter, notably Mother Bronson, Shanghai Kelly, Miss Piggott, Patsy Corrigan, Calico Jim (who once shanghai'd three policemen), the Shanghai Chicken, and Cowboy Maggie, are figures from the murky underworld of Fagin and Sykes. While not another Dickens, Mr. Asbury gives life to these amazing figures and exhibits their peculiar virtues with great skill and obvious affection. There is also much erudite stuff in the volume on the harlots and harlotry of the Barbary Coast, with graphic and technical accounts of the organization, economics, personnel, and paraphernalia of its innumerable cowyards, cribs, and parlor houses, all done with appropriate seriousness and an innocent and casual irony. While Mr. Asbury writes learnedly of the madame, her function and characteristics, he makes no mention of the professor, as the morose and fragile piano-player in such establishments was invariably called. Such an omission is remarkable in a historian otherwise so scrupulously exact about even the most minute and, shall I say indecent, details.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mr. Asbury has evolved an admirable technique for the type of Americana in which he takes such obvious relish. His research is confined to the inexhaustible riches of oral traditions, police records, and newspaper files. He shuns secondary sources, and perhaps wisely so. But in this case he erred in neglecting the fiction of the Barbary Coast. He makes no mention whatever of the numerous novels that have described the scenes and characters of the Coast. Charles Caldwell Dobie wrote an excellent novel based on the life of Mammy Pleasant; Gelett Burgess in "The Heart Line" referred to many Barbary Coast characters, as did Charles Tenney Jackson in "The Day of Souls."

The enthusisam for American erotica has apparently not abated. Such material has, of course, great interest to an "emancipated" generation which takes delight in the coarse and uncouth vagaries of another age. At times I suspect that the popular interest in this type of work is a product of self-deception. Vice is seldom amusing if graphically described. What has delighted a later generation in the doings of Calamity Jane and her kind has been the charming casualness of their depravities. In the inherited gossip of their heroic adventures and the gorgeous frankness of their misbehavior investigators have discerned the materials of a pseudo-folklore. And so in Mr. Asbury's book it is not surprising to find that he frankly acknowledges the apocryphal character of many of the tales which he relates and that he has given to his favorite characters the exaggerated proportions of the figures of myths and legend. In fact, by endowing his characters with legendary qualities and accepting the traditions by which the memory of them has been sustained, Mr. Asbury has rescued the Barbary Coast and its strange denizens from oblivion. For already I have overheard Californians retelling many of his choice episodes. Is it a confession of innate sinful propensities, or merely an admission of the character of the age in which we live that the present generation should be wistful over the Barbary Coast?

CAREY MCWILLIAMS

Dead Germany

Modern Germany: A Study of Conflicting Loyalties. By Paul Kosok. University of Chicago Press. $3.

THE title of this book is misleading, but that is no fault of the author. For Modern Germany was slain while the volume was being revised and put upon the press. In its place we have the ruthless, despotic state erected by Hitler; it is really appalling to see in how short a time it is possible to tear down completely a democratic structure, instal complete reaction, and deny to every individual the right to think and speak according to his own beliefs.

Professor Kosok's study is really the story of the Dead Germany which collapsed so readily and entirely without resistance when put to the touch of Hitler. It is a careful and conscientious recital of the background both of the monarchy and of the ill-fated republic, and as such it contains factual material of value to everyone who desires to find some explanation for the German disaster. But it cannot be said that Professor Kosok's style is bright or entertaining; it smacks too much of the doctor's thesis. He places his chief emphasis on the economic factors and forces in the political system, but he neither develops new theories of the struggle between the contending forces in the republic nor throws fresh light upon the facts.

It is a pity that the book could not have been recast after Hitler's ascendancy. We read in the author's account of the Stahlhelm, for example, that it "now claims a membership of over a million, and is the mainstay of the much weakened monarchistic Nationalist Party," when we know that it has been taken over by Hitler after enlisting large numbers of the disbanded Reichsbanner. So in an excellent chapter on National Symbolism contributed by Isidor Ginsburg, dealing with the role which symbolism has played in the development of German loyalties, we learn that it is doubtful whether Hitler "can with these new tactics [the legality announcement of 1930] keep his party intact." A footnote explains that the "national resurgence" of 1933 has "not affected the validity of the principles" laid down by Mr. Ginsburg. But the net effect upon the reader is naturally depressing.

Especially valuable are Professor Kosok's chapters on the army and the church. In that on the latter he makes the interesting point that the revolution of 1918 and the period of the republic resulted in an increase rather than a decrease in the power and influence granted to the church by the state—another evidence of the fatal weakness of the leaders of the republic. Today the Hitler state makes and unmakes bishops. Throughout Professor Kosok identifies patriotism with submissive loyalty to the state and acceptance of the war policies of 1914-18. It is sad, too, to find that he has only this to say, in a final paragraph, of Hitler's accession to power: "Hitler and Fascism have triumphed in Germany . . . Civic training of a supernationalist character . . . is the order of the day! The effectiveness of this training will depend upon whether the Nazis can solve the economic crisis which brought them into power. If they can do this, *well and good.*" (Italics mine.) Well and good indeed! Only a completely superficial mind can see in the Nazis' record to date anything good which can offset its horrible cruelty, its deadly menace to civilization everywhere.

OSWALD GARRISON VILLARD

Shorter Notices

Mrs. Egg and Other Barbarians. By Thomas Beer. Alfred A. Knopf. $2.50.

Mr. Beer, with a diffidence which perhaps veils an impulse to disclaim altogether a serious paternity for these eight stories—six of which appeared in the *Saturday Evening Post*—refers to them himself, in a forenote, as "frivolous tales." They recount episodes in the lives of two groups of semi-rural characters, one group revolving about the obese figure of an amazing matron named Mrs. Egg, of Illium, Ohio, the other about an equally astonishing Dutch patriarch, with a fraction of Iroquois blood and a wooden leg, named Carolus Van Eyck, of Couveris, New York. Both these characters are paragons of homely sagacity. In the episodes, most of which concern the mating adventures of children and grandchildren, they figure as shrewd powers behind the scenes, after the manner of Kelland's "Scattergood," directing the course of events to the wise conclusion. The stories sheathe a core of sentimentality in a slick surface sophistication, according to the familiar formula of the "smooth paper" magazines. To this artistry Mr. Beer contributes a curious impulse to make his rural world cognizant of the catchwords and themes of the intelligentsia—"the lost generation," the Left Bank, and even Lesbianism—with the result that both the innocence and the sophistication are suspect. The volume will hardly add to the reputation of the author of "Stephen Crane" and "The Mauve Decade."

The Autobiography of a Liverpool Irish Slummy. By Pat O'Mara. The Vanguard Press. $2.50.

During the past ten years the "true confession" story has run its full length: through various jails in America, through the World War, through New York slums—each with its separate documentary value. Among these, Pat O'Mara's story

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of a boyhood spent in a Liverpool slum deserves special attention. The horror of poverty is revealed with genuine emotion, and the brutal conduct of its victims is made convincing by O'Mara's complete sympathy with them. In these slums drink and the more violent form of bloodlust seem to be only an escape from filth and economic nightmare; children's shoes are bought to be pawned on Monday morning and redeemed on Saturday night for church on Sunday; wife-beating is a daily exercise; and all forms of petty thievery and swindling are a means of livelihood. For O'Mara the movies and a stay at a charity hospital were the only calm moments in a childhood where disease and frequent beatings were listed as the common destiny of his generation—only the hardiest members of a large family had any hope of survival. O'Mara at last ran off to sea, where even the rough duties of a mess boy on a freighter seemed like a vacation away from the terrifying experiences at home. O'Mara's prose, though crude, has warmth and color, and his autobiography is told with a hearty earnestness that is lighted from time to time by flashes of grim humor.

The Traipsin' Woman. By Jean Thomas. E. P. Dutton and Company. $2.50.

The traipsin' woman of these stories is Jean Thomas herself, who, as court stenographer to a circuit judge, enjoyed a rare opportunity for collecting material on the life of her native Kentucky. The sketches and stories in this volume, however, do not add anything of note to the regional studies of life in America. They hark back to the period of genre pictures, and have all the quaint humor and sentimentalities of the obsolescent local-colorist school in Southern fiction.

Business Is Business. By Basil D. Nicholson. Alfred A. Knopf. $2.

This attempt at a modern picaresque novel fails from a sheer excess of villainy. Fundamentally, devils are romantic creations, as ethereal, as humorless, and as colorless as angels. Art for art's sake is readily conceivable, but villainy for villainy's sake requires much more documentation. There are some perfect saints in literature who are almost credible human beings, but no perfect villains who are not abstractions. Villains usually have ulterior motives. In "Business Is Business" the author has grafted a nominal motive on his villain—money—but it has not taken root psychologically. As a result the hero's tedious recital of his murders and betrayals, which is meant to be both shocking and diverting, sounds no more exciting than "another Indian bit the dust."

Tapestry the Mirror of Civilization. By Phyllis Ackerman. Oxford University Press. $4.75.

Dr. Phyllis Ackerman, an outstanding tapestry authority, has written what to our knowledge is the most comprehensive and best single volume on this subject in the English language. The specialist may complain that she has laid too little stress on iconography, too much on the ethical, mythic, religious, social, and economic currents from which the artisan, whether he is an anonymous Minoan, a Flemish guildsman, or a Boucher, draws the themes, as well as the decorative and linear conventions, for his textiles. But the "common reader"—which most of us are on all but very few subjects—with only an elementary knowledge of the role that tapestry has played during the past five thousand years, will welcome rather than regret Dr. Ackerman's omission of scholarly documentation for its own sake. In a prose style that is both vigorous and vivid the story of tapestry is traced from its remote origin among the ancient eastern Mediterranean civilizations to its culmination in Europe in the seventeenth century with the tapestries designed by Rubens, Jordaens, and Teniers and in the eighteenth with Goya's cartoons for the Santa Barbara looms; the art scraped bottom in the nineteenth with the sterile medievalism of the Pre-Raphaelites. The appendices contain three additional chapters: one on The Technique and Aesthetic of Tapestry; another on Guild Regulations; the last on Some Collectors and Collections. Ninety-eight pages of valuable reference notes and a useful bibliography complete the text, which is supplemented by forty-eight full-page illustrations in half-tone, many of them of tapestries and cartoons for tapestries that are reproduced here for the first time.

Mrs. Barry. By Frederick Niven. E. P. Dutton and Company. $2.50.

It is hardly fair to call this book a novel, for it is rather a character sketch, a full-length portrait of mother and son with, for background, a few hasty strokes to indicate people who enter their lives. In trying to build it up into something more, the author has introduced several unrelated episodes which, however pleasant as reading, are more repetition than development. Mrs. Barry takes lodgers and barely makes ends meet even when she has lodgers. In another section of Scotland she was once a girl of means, but hard times have left her with a son to provide for, and with pains somewhere which grow through the story until she takes them to a doctor, hears his verdict, insures reception of her boy at an orphans' home, and dies. That is all, but with the exception of the padding referred to the story is told competently and with a quiet and convincing directness.

Shakespeare. By John Drinkwater. Great Lives Series. The Macmillan Company. 75 cents.

Short though this biography is—it is hardly 30,000 words long—it is too long for the meager data of Shakespeare's life. Mr. Drinkwater makes a well-nigh overwhelming case for the reality of Shakespeare as the writer of Shakespeare's plays and poems; but in the biographer's art of making a real man of his subject he is less successful. His book is more interesting as a fresh and vigorous contribution to the Shakespeare controversy than as a work of biography.

Hitler's Reich. By Hamilton Fish Armstrong. The Macmillan Company. $1.

We have been flooded with monographs, tracts, pamphlets, and full-dress books about the new Germany under Hitler. A few of them have been excellent, more have been emotional outpourings of dubious value, while most, it would seem, have been written solely with a view to getting something published on a subject that happens to be in the news. There can be no doubt that "Hitler's Reich" falls into the first category. It is brief, clear, and to the point. It presents a succinct and understandable account of the uprooting of the short-lived republic, the passing of virtually all the great men of contemporary Germany, the "conversion" of the Stahlhelm, the trade unions, the church, the universities, and the press. The Jewish problem, German foreign policy under the Nazis, the relation of Danzig and Austria and the Polish Corridor to the new Germany, the influence of Mussolini, the possible sources of weakness in the Nazi regime—these and other questions are discussed with equal brevity and clarity. One may not always agree with Mr. Armstrong's interpretations, for he inclines to old-fashioned democratic conservatism, and one cannot accurately measure the various phenomena now sweeping the world with the liberal standards of Spencer or Mill. Happily, Mr. Armstrong does not force his interpretations upon us. They are more in the nature of asides. His book is mainly a straightforward reportorial account based on first-hand observations—he went directly to Berlin, Vienna, Danzig, and Rome to get his story immediately after the Nazis came into power. "Hitler's Reich" is well worth reading.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Art

Modern Art in Perspective

"I HAVE no sympathy with the present time; the ideas which stir the passion of my contemporaries leave me absolutely cold, my memories and all my predilections are for the past, and all my study turns toward the masterpieces of bygone centuries." Such words, read by a person uninformed as to who had uttered them, might well seem those of a man living within the walls of a museum and oblivious to the value of the art of his time, if such value existed at all. But the quotation is from a letter written by Eugène Delacroix in 1853, when Ingres, Corot, Daumier, and Courbet were at the height of their powers, and when everything pointed to the splendid new talents that were rapidly preparing masterwork worthy to continue that of the men in middle life. What is even more to the point, it was masterwork specifically based on that of the great innovator and renovator of modern art who, in the sentences above, turns his back on it so resolutely. We know that it was only for a time, since, to cite but a single instance, we have his words of admiration for the young Courbet—whose art is so much the contrary of his own.

Yet the fact remains that precisely at periods of intense and original production men have a nostalgia for the past, a need to get away from the turmoil of modernity. Doubtless many who will see the magnificent exhibition of works from American collections at the Museum of Modern Art in New York have had their moments of impatience with the confusing movements of our time and have sought the repose of some earlier century—a repose, be it said, that we may enjoy today but that the period itself saw as the privilege of some other Golden Age behind it. Our own will be a time of miracles for, let us say, the twenty-third century.

We of today cannot wait till then, which is the reason for the founding of the Modern Museum (and I am still of the opinion that it should be part of the Metropolitan Museum). We want the people of the twenty-third century's Golden Age to enjoy the expression which their artists—the ones who most intimately represent them—give to their own thoughts and sensations. Delacroix and his great contemporaries did that for their time. The present exhibition, which begins with pictures produced just after the death of Delacroix, does the same for the seventy years since then. To see the glorious works of Cézanne and Renoir, Redon and Degas, is to be convinced that there is no break with the genius of the earlier time (indeed, given genius, there is never a break—the later forms always agreeing in essentials with the earlier ones). One continues with the three splendid canvases by Seurat, and again one feels that the complete range of painting, from a profound constructive plan at the start to exquisite control of nuances at the finish, remains open to modern men. The two phases of the work are seen again in the sculptures of Maillol and Brancusi, with—between them—the wide variety of externals that makes our time particularly rich.

That phase of it is again apparent in one especially happy feature of the exhibition, its inclusion of what amounts almost to one-man shows of Rouault and Bonnard. The tragic magnificence of the former and the colorful optimism of the latter—so unassuming as to have come only in later times to recognition here—contrast strikingly, and emphasize the breadth of mood conveyed by modern art.

One proceeds to the work of Derain and sees that breadth in firm hands, under the direction of a powerful mind. And having regained our composure after what once seemed the

Youth
IN SOVIET RUSSIA
By Klaus Mehnert

There are 100 million people under 25 years of age in Soviet Russia today, a group that is utterly different from any other younger generation in education, ambition, social experience. This lively description of their life is by a Russian-born writer who is himself under 30 years of age. Trotsky—and Trotsky's opponents—have praised it in the foreign press for its disinterested point of view and well-informed presentation. It should be eagerly read in America by those who are interested in the Youth Movement and its prognostications for the future.

Just out. 270 pages, $2.00.

RED VIRTUE
By Ella Winter

One of the essential books on Russian life. "If you really want to know how the Russians live and what the fabric of their social relations is, you'll find it remarkably illuminating. 'Red Virtue' is a kind of Moscow "Middletown'."—*R. M. Coates, New Yorker.* Ill., $3.00

HARCOURT, BRACE & CO., 383 MADISON AVE., N.Y.

"The greatest piece of debunking to appear since the days of Ida Tarbell and Lincoln Steffens." —Philadelphia Record.

MELLON'S MILLIONS
THE BIOGRAPHY OF A FORTUNE
The Life and Times of Andrew W. Mellon
By HARVEY O'CONNOR

Mr. Mellon says:
". . . the book is obviously a travesty of truth and appears in the nature of literary racketeering . . . it is a serious injustice that such false statements in respect to private affairs . . . should have to be submitted to." *In N. Y. Herald Tribune—August* 11, 1933.

The author replies:
"Mr. Mellon's designation of my work as 'literary racketeering' is a flimsy reply to a book based almost entirely on public records and a careful attempt to appraise Mr. Mellon's significance to our civilization."

. . . and THE CRITICS say:
"This amazing tale of The World's Greatest Money Bag ought to be read by every American who wants to know what is the matter with his country."—JOHN T. FLYNN.
"An amazing case history."—*N. Y. Evening Post.*

Second Large Printing $3.00 a JOHN DAY book

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

mere audacities of Matisse, we realize that his art is what he wrote, twenty-five years ago, that he wanted it to be, a thing of calm and harmony. We can still feel excitement in the discovery of his untried balance of form, his never-before-tasted combination of color, as in the "Tea Party," and then we feel that its innocent-sounding title is right, not for the gossipy little gatherings it can suggest, but for the rich and yet simple ceremonies of the Orient which are also evoked by the words.

And so, with more time than I have here, the visitor will go on to the superb works of Picasso, of Braque, of Léger, de La Fresnaye, and Juan Gris. So far, he, like the organizers of the exhibition, is on firm and well-tried ground. The test comes when we reach the younger men. There has been at least one failure in this respect, throughout the museum's American exhibitions, that of not recognizing the man who, in his generation, gives our country its nearest approach to the European artist last mentioned: I refer to A. S. Baylinson, and do so with the corroboration of men too important to let the criticism be dismissed as merely personal judgment. Despite this, despite the inclusion of men like Pascin who represent a weakening of the modern effort, despite what must be concessions to the idea of showing "what is going on" rather than risking a decision as to what is essential, and despite certain omissions, the representation of men like Pierre Roy, Berman, and Tchelitchew clearly indicates in the museum a sense for the art which shall keep up the creative tradition. Even better evidence on that score is supplied as one is about to leave the building, for just beside the door are the elaborate reproductions the museum has made of the frescoes by Diego Rivera. They gain each time one sees them—which is about the best thing one can say for any art. The people at home, who should go to the exhibition as often as they can, and our tourists returning from Europe (where they have almost certainly seen no better show of modern art this summer), should be reminded that the date of closing is September 30.

WALTER PACH

Films

A, B, C, and D

IT would be a great help for the motion-picture critic if the standards in his field were so solidly established, his hierarchy of values so well defined, that he could make his judgments with even a little of the confidence that characterizes writers on other fields of literature and art. What a help it would be, for example, if he could make use of such a system of evaluations as Mrs. Q. D. Leavis uses in her study of the contemporary novel, "Fiction and the Reading Public," published in England last year. According to Mrs. Leavis that branch of current literature may be tentatively classified with respect to its readers as:

A. "Highbrow."
B. "Middlebrow" read as "literature."
C. "Middlebrow" not read as literature, but not writing for the lowbrow market.
D. Absolute best-sellers.

Mrs. Leavis of course offers some explanation for the terms employed in each of her categories; but these terms involve further terms requiring definition; and in the end everything depends pretty much on the assumption that critic and reader understand what is being talked about. It is not possible to make use of such a system with the same certainty in discussing the current cinema because there does not as yet exist such an easy understanding between critic and reader. And it is of course by no means likely that a system which is appropriate for the modern novel will also be appropriate for the motion picture. But assuming that the basis of the method would be the same—namely, a classification based on the different levels of audience response—it may be interesting to see what happens if one applies Mrs. Leavis's A, B, C, and D to a few recent pictures.

A. "Another Language" (Capitol) is not a "highbrow" film in intention or appeal; but it is very much better than most highbrow pictures turn out to be and better than a great many highbrows deserve from Hollywood. It is a faithful version of the stage play by Rose Franken which played on Broadway through two seasons and which was as highbrow as anything in the theater nowadays not written by S. N. Behrman. Its subject is the old conflict between youth and the older generation, as represented in the efforts of an intelligent young woman to survive in the hideous atmosphere of an American domestic matriarchy. (Although the characters are not Jewish, it would have been very much better if Miss Franken had had the courage to come out honestly and admit they could not be anything else.) There are reminiscences of both "The First Year" and "The Silver Cord," but Miss Franken's play is neither so sentimental as the first nor so tediously explicit in stating its thesis as the second. The dialogue is naturalistic dialogue at its best, the development of situations dramatic without becoming melodramatic. In the screen version prepared by Herman Mankiewicz and Donald Ogden Stewart none of these virtues is lost and some additional ones are created. In the first place, the casting, which is so important in such a picture, is pretty close to perfect. The late Louise Closser Hale is superbly restrained as the mother jealous of her youngest son's wife, and Helen Hayes, as the wife, is freer from exaggerated charm and eager wistfulness than she has appeared so far on the screen. Even Robert Montgomery, under Edward H. Griffith's suavely modulated direction, shows an ability to adjust himself to the demands of an unsympathetic role. Honors for the male acting, however, go not to Mr. Montgomery but to John Beal, a young actor who appeared in the original production and who gives the most authentic portrayal of inarticulate passion that the recent screen has seen. It will be interesting to see what Hollywood will do with this fine actor, who is suited for so many roles and who seems too sincere to be very easily corrupted. The thoroughly adult level of its story, acting, and direction makes "Another Language" a picture which any highbrow can admire without loss of caste. There is in fact one scene which only the real highbrow is likely to appreciate to the full: the scene in which the young wife and her lovesick nephew are forced to dance with each other against their will before the eyes of the assembled clan. The movements of their dance, set in contrast with the rigorous line of the watching family, produce an effect almost like that of ritual: a formalization of action and posture which intensifies the tragic emotion. But, at the same time, *Variety* is already able to report how many "grand" the film is earning in the provinces.

B. This is what Mrs. Leavis has to say of the pseudo-literary "middlebrow" novelists: "A representative criticism from the high-level reader would be that they bring nothing to the novel but commonplace sentiments and an outworn technique . . . echoes of the Best People of the Past." Substitute *picture* for *novel, vulgar* for *commonplace,* and *Best Directors* for *Best People,* and you have a pretty fair notion of what is the real trouble with Rouben Mamoulian's "The Song of Songs" (Criterion). After Dwight MacDonald's strictures against this director in the *Symposium,* it seems hardly necessary to insist again on the tawdriness, triteness, and almost total lack of originality of his directorial style. He is the cinema equivalent of the Thornton Wilders and the Edna Millays, the master of the *faux bon* and the speciously artistic. There is not an effect

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

RESORTS RESORTS RESORTS

We Planned For Your Labor Day Week-End Months Ahead!

. . . and now in the earthly paradise of KENT, CONN., not a thing has been omitted to make this holiday a merry one for you. Sport tournaments . . . exhibitions . . . carnivals . . . delightful cuisine and accommodations. Make your reservations in advance, if possible.

Friday Supper through Monday Dinner **$16.50** Complete

Special Week-end Excursion Ticket from New York—$3.70 Round Trip

Write for Descriptive Booklet and Road Map

"MICKEY" MICHAELS, Mgr.

CAMP MILFORD

1440 BROADWAY, N.Y.C. PENNSYLVANIA 6-7842

FOREST AND STREAM CLUB

An Ideal Adult Camp with Ideals

IN THE GREEN MOUNTAINS, WILMINGTON, VT.

Four and one-half hours from Grand Central

Sporty 9 hole golf course on premises.
Complete social and athletic activities.

RATES REDUCED TO $25 PER WEEK AND UP

Eleven Years of Highly Satisfactory Service

35 W. 42nd STREET, N. Y. C. PEnn. 6-7964

◆ ◆ ◆ ◆

SPEND YOUR VACATION

Where you get the best rates:—August $18 to $25
All Indoor and Outdoor Sports. Excellent Food. Write for Booklet.

TROUT LAKE CAMP

At Trout Lake in the Heart of the Adirondacks
LAKE GEORGE, N. Y. Tel. Bolton 96
N. Y. Office—11 W. 42 St., Tel. PEnn. 6-6625-6477

Walden *formerly* SCOPUS

The GLORIOUS VACATIONLAND *in the Adirondacks for*

LABOR DAY

Special rates are in effect for the Labor Day week-end at Walden. Every facility for sport, fun and comfort at the Adult Camp of Distinction. Communicate now, for reservations.

Camp Walden

P. O. LAKE GEORGE, NEW YORK
New York City Office:
11 WEST 42nd ST.
PEnn 6-8569

Come
THE WEEK-END OF AUGUST 26th
for the
HALL JOHNSON CHOIR
Stay a Week at Regular Rates
ENJOY
LABOR DAY WEEK-END
GIANT MARDI GRAS PROGRAM!
Fiesta, Fireworks, Confetti, Favorite Artists of the Season
THREE FULL DAYS OF FUN—$16.50

UNITY HOUSE

FOREST PARK, PENNSYLVANIA
New York Office
3 WEST 16th ST.
CHelsea 3-2148

TIMBERLAND
A Modern Camp for Adults

Booklet on Request
33 W. 42nd St.
PEnn. 6-7663

The Rare Charm Of An Intimate Congenial Group

Sept. Rate, $21.
Beg. Sept. 5th

Superior Cuisine
Golf

Round Trip Fare $7.85
In De Luxe Packards

TIMBERLAND In The Adirondacks

Pottersville, N. Y., Warren Co.
ESTHER R. KESSLER, *Dir.*

Village of ARMONK BREEZEMONT **NEW YORK**

A charming old country home on 110 acres of beautiful rolling country.
35 minutes from Broadway
Private Lake—Tennis—All outdoor sports
Cuisine by Ray Davidson Rosenbaum formerly of the Russian Inn

Limited Accommodations
Ideal for long or short vacations

Reasonable Rates
Telephone
Armonk Village 555

Cooks Falls Lodge

COOKS FALLS, N. Y.
(Railroad Station, Roscoe, N. Y.)

—An IDEAL recreation spot. Spacious Lobbies, Luxuriously fitted Card Rooms, Bohemian Tea Room and Indian fitted Writing Room.
—Excellent Cuisine. Dietary Laws Observed.
—Private Swimming Pool. Private Lake.
—All Outdoor Sports, including Horseback Riding, Golf.
—Trout Fishing in the Famed Beaverkill River.
—REDUCED RATES.
—Our Beautiful Beer Garden.

Your Vacation can't be spent to better advantage than at

Cooks Falls Lodge

Reduced Railroad Fare to Roscoe, $5.50 Round Trip

WRITE FOR ILLUSTRATED BOOKLET

UNCAS LODGE

UNCASVILLE, CONN.

A charming, unpretentious modern camp and old fashioned New England farm—an ideal retreat for lovers of rustic beauty.
*Private twin lakes
*Clay tennis courts
*Saddle horses and golf nearby
*Unexcelled cuisine
*Socials, Theatricals, Comradery

NEW LOW RATES:
$20 One week, $36 Two Weeks
N.Y. Phone: PResident 3-9824

"Send for Booklet"

DELIGHTFULLY DIFFERENT

THE GROUP Has arranged for a series of talks by outstanding speakers beg. Sept. 5, at

TIMBERLAND
In The Adirondacks

For Information and Booklet

Address: Timberland, 33 West 42 St., N. Y. C.
Telephone: PEnnsylvania 6-7663

ZINDOREST PARK

MONROE, N. Y. Phone: 300

Formerly a millionaire's estate. 150 acres, most beautifully landscaped. Private lake. All sport facilities on premises; saddle horses and nearby golf. Many new attractions. 1½ hours Erie R. R. or Route 17.

OPEN ALL YEAR

MOON HILL

On Schroon Lakes The Adirondacks
Low rates for August
Tennis, boating, swimming, golf, hand ball
Complete social staff
Dietary laws strictly observed
SARAH SOLOMON, Ownership-Management
Pottersville, Warren Co., N. Y.
N. Y. Office: 11 W. 42nd St. PE 6-1720

When writing to advertisers please mention The Nation

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in his new picture which does not remind us of some other director—from the black-out à la Pabst to the soft-focus apple orchards which Von Stroheim introduced twelve years ago ("The Merry Widow" with Mae Murray) to a camera world which apparently never forgets. The only difference is that in Mr. Mamoulian's orchards there are *more* blossoms than Von Stroheim ever dreamed of: thus the cinema world progresses. The story of "The Song of Songs" is based on the once very popular play by Sudermann which served as a vehicle for Duse and others. As a vehicle for Marlene Dietrich it permits several radical changes of wardrobe, an opportunity to sing two or three songs very badly, and a pretext for showing her body more completely, by means of a life-size marble statue, than is legal in celluloid. The grotesquely long artificial eyelashes which she wears throughout are emblematic of the palpable falsity of everything in the picture. "The Song of Songs," because it is insincere "highbrow," will succeed, if at all, only with the lowest levels of the "lowbrow." For, oddly enough, it is more difficult to be persuasively meretricious in the films than in either poetry or fiction.

C. "Three-Cornered Moon" (Paramount) offers an example of a picture which was distinctly more "highbrow" on the stage than it is on the screen. (This, to be sure, is the more common phenomenon.) The reason lies principally in the casting: Mary Boland is not able to communicate quite the same quality of mad distraction as Cecilia Loftus, and Claudette Colbert is certainly a less skilful purveyor of the neurotic humors of the time than Ruth Gordon. Miss Tonkonogy's tenuously nuanced application of the Chekhovian technique to depression troubles in a Brooklyn household suffers from a certain bluntness in the direction as well as from the acting. The "mad Rimplegars" are too well provided with motives; their Brooklyn stronghold takes on too many features of Californian splendor. Moreover, the artist who refuses to work is made an unrelievedly despicable person—which is perhaps the most definite of the sops it offers to the "middlebrow" public. "The Big Brain" (Roxy) is a much more clean-cut specimen of the class: it is unmarred by any higher pretentions. With George E. Stone as the barber-shop assistant who rises to be head of a shady stock corporation, it is reminiscent of Robinson's "Easy Money" and other studies of the little man with an inferiority complex. But it is too carelessly put together to make much of an appeal even on its own level.

D. If Mr. Burroughs's Tarzan books are not beyond the reach of an eight-year-old mind, the movie versions of them may be said to reduce the age limit by three or four years. In fact, even an intelligent child of five might find something embarrassing in the manner in which an unfortunate young athlete named Buster Crabbe is required to jump about from tree to tree, caress synthetic Hollywood apes, and make hideously inhuman noises. In such a picture as "Tarzan the Fearless" (Roxy) we reach what Mrs. Leavis calls the "absolute" on the lower end of the vertical scale of democratic art. We touch the depths, and there is a certain satisfaction in the realization. For to have such an absolute is to make possible such a scale as we have just employed. And the existence of such a scale is a helpful aid in preserving at once our faith in the movies and our sanity after attending them.

WILLIAM TROY

Contributors to This Issue

HUBERT HERRING is the executive director of the Committee on Cultural Relations with Latin America.

PAUL Y. ANDERSON is a Washington correspondent of the St. Louis *Post-Dispatch*.

JAMES P. GIFFORD is assistant professor of law and assistant to the dean of the Columbia University Law School.

C. DAY LEWIS, an English poet, is the author of "The Magnetic Mountain."

EVELYN SCOTT, author of "The Wave," "Escapade," and "Eva Gay," lived in South America for several years.

WILLIAM TROY is a member of the English department of Washington Square College, New York University.

WILLIAM HENRY CHAMBERLIN, Russian correspondent of the *Christian Science Monitor*, is the author of "Soviet Russia. A Living Record and a History."

LOUIS BARTLETT is a San Francisco attorney who has represented various cities in public-utility cases.

CAREY MCWILLIAMS lives in California and is the author of "Ambrose Bierce," and "The New Regionalism in American Literature."

WALTER PACH, painter and critic, is the author of "The Masters of Modern Art" and "Ananias: or the False Artist."

□ POSITION WANTED □

GRADUATE Princeton, also Columbia Law School, 36, unmarried, Virginian, desires position. Trained in law, finance, economics. Familiar with governmental procedure and practice Ability to write forcefully and succinctly. Box 214, c/o *The Nation*.

HIGHLY EDUCATED TEACHER, Ph.D., grown somewhat deaf, would like opening in special or private library work, encyclopedia or dictionary compilation, or the like. Especially interested in the Classics and Elizabethan Literature. Write Box 216, c/o *The Nation*.

□ HELP WANTED □

POWER and light employees wanted as union organizers for nation-wide NRA campaign. Splendid opportunity. Write qualifications. Brotherhood of Edison Employees. 128 E. 16 St., N.Y.C.

See Pages 251 and iii for Labor Day Resort Advertisements.

To Nation Readers

For intelligent employees advertise in *The Nation*. You reach fewer readers than through a large newspaper, but those you reach are worth while.

18 words $1.86

Each additional 6 words, $.62

COrtlandt 7-3330

20 VESEY STREET

□ PERSONAL □

FOREIGNERS, advanced, wanted to open joint Music Studio with pianist. West Bronx. She'll share rent. Box 215, c/o *The Nation*.

"VAINLY EMULATING DIOGENES!" wrote a prospect of his predicament in being mentally marooned in Moronia. After joining Contacts, only correspondence club for the intellectually isolated, he now has attained the gift of the gods, intelligent friends! Unusual books loaned free. Send 3c stamp for particulars to Contacts, Box 91, Station D, New York, N. Y.

WANT to rent a small house, vicinity of Peekskill, residential section, furnished or unfurnished. Must have sleeping porch. State price. Box 217, c/o *The Nation*.

SHOPPERS CORNER

INDIVIDUAL DRESSMAKING—dresses, suits, coats, alterations carefully made. Fittings in your own home. Very moderate charges. For appointments phone HOneywood 6-1179 or STuyvesant 9-8910 (evenings only) Natalie Gomez.

When writing to advertisers please mention The Nation

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED